

AGENDA

FOR THE REGULAR MEETINGS OF THE:

COMMUNITY DEVELOPMENT COMMISSION
AND CITY COUNCIL

Council Chambers
11710 Telegraph Road
Santa Fe Springs, CA 90670

APRIL 14, 2011
6:00 P.M.

Joseph D. Serrano, Sr., Mayor
William K. Rounds, Mayor Pro Tem
Luis M. González, Councilmember
Richard J. Moore, Councilmember
Juanita A. Trujillo, Councilmember

Public Comment: The public is encouraged to address City Council on any matter listed on the agenda or on any other matter within its jurisdiction. If you wish to address the City Council, please complete the card that is provided at the rear entrance to the Council Chambers and hand the card to the City Clerk or a member of staff. City Council will hear public comment on items listed on the agenda during discussion of the matter and prior to a vote. City Council will hear public comment on matters not listed on the agenda during the Oral Communications period.

Pursuant to provisions of the Brown Act, no action may be taken on a matter unless it is listed on the agenda, or unless certain emergency or special circumstances exist. The City Council may direct staff to investigate and/or schedule certain matters for consideration at a future City Council meeting.

Americans with Disabilities Act: In compliance with the ADA, if you need special assistance to participate in a City meeting or other services offered by this City, please contact the City Clerk's Office. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

Please Note: Staff reports, and supplemental attachments, are available for inspection at the office of the City Clerk, City Hall, 11710 E. Telegraph Road during regular business hours 7:30 a.m. – 5:30 p.m., Monday – Thursday. Telephone (562) 868-0511. City Hall is closed every Friday.

1. **CALL TO ORDER**

2. **ROLL CALL**

Luis M. González, Commissioner/Councilmember
Richard J. Moore, Commissioner/Councilmember
Juanita A. Trujillo, Commissioner/Councilmember
William K. Rounds, Vice-Chairperson/Mayor Pro Tem
Joseph D. Serrano, Sr., Chairperson/Mayor

COMMUNITY DEVELOPMENT COMMISSION

3. **REPORTS OF THE CITY MANAGER AND EXECUTIVE DIRECTOR**

4. **CONSENT AGENDA**

Consent Agenda items are considered routine matters which may be enacted by one motion and roll call vote. Any item may be removed from the Consent Agenda and considered separately by the City Council.

Approval of Minutes

- A. Minutes of the 5:30 pm Special Meeting of the Community Development Commission of March 10, 2011

Recommendation: That the Community Development Commission approve the minutes as submitted.

Approval of Minutes

- B. Minutes of the Regular Meeting of the Community Development Commission of March 10, 2011

Recommendation: That the Community Development Commission approve the minutes as submitted.

5. **CLOSED SESSION**

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: 9735 Bartley Avenue

Negotiating Parties: Commission staff and property owner

Under Negotiation: Price

CITY COUNCIL

6. **CONSENT AGENDA**

Consent Agenda items are considered routine matters which may be enacted by one motion and roll call vote. Any item may be removed from the Consent Agenda and considered separately by the City Council.

Approval Minutes

- A. Minutes of the 5:00 PM Special Meeting of the City Council of March 10, 2011

Recommendation: That the City Council approve the minutes as submitted.

- B. Minutes of the 5:30 PM Special Meeting of the City Council of March 10, 2011

Recommendation: That the City Council approve the minutes as submitted.

- C. Minutes of the Regular Meeting of the City Council of March 10, 2011

Recommendation: That the City Council approve the minutes as submitted.

PUBLIC HEARINGS

7. Approval of Resolution No. 9312 – Calling for Special Election to Amend and Restate the Rate and Method of Apportionment of Special Tax under City of Santa Fe Springs Community Facilities District No. 2002-1

Recommendations: 1) That the Mayor open the Public Hearing and hear from anyone wishing to speak on this matter; 2) That, if the proposed amendment and restatement of the Rate and method of Apportionment of Special Tax under Community Facilities District No. 2002-1 is not opposed by more than 50% of the owners of land within the CFD, the City Council adopt Resolution No. 9312 Calling for Special Election to Amend and Restate the Rate and Method of Apportionment of Special Tax under Community Facilities District FD No. 2002-1.

8. Approval of Resolution No. 9313 Calling for Special Election to Amend and Restate the Rate and Method of Apportionment of Special Tax Under City of Santa Fe Springs Community Facilities District No. 2004-1

Recommendations: 1) That the Mayor open the Public Hearing and hear from anyone wishing to speak on this matter; 2) That, if the proposed amendment and restatement of the Rate and method of Apportionment of Special Tax under Community Facilities District No. 2004-1 is not opposed by more than 50% of the owners of land within the CFD, the City Council adopt Resolution No. 9313 Calling for Special Election to Amend and Restate the Rate and Method of Apportionment of Special Tax under Community Facilities District FD No. 2004-1.

COUNCILMEMBER REQUESTED ITEM/ORDINANCE FOR INTRODUCTION

9. Ordinance No. 1023 - Amending Section 130.04 of the City Code Banning Smoking within Public Parks

Recommendation: That the City Council waive further reading and introduce Ordinance No. 1023, an Ordinance amending Section 130.04 of the City Code to make it unlawful to smoke within Public Parks.

COUNCILMEMBER REQUESTED ITEM

10. Renaming of the Neighborhood Center in Honor of Gus Velasco

Recommendation: That the City Council approve renaming the Neighborhood Center as the "Gus Velasco Neighborhood Center", and direct staff to incorporate the new name into the design of the signage for the renovated facility.

FINAL PAYMENT

11. Rosecrans Avenue & Valley View Avenue Street Improvements

Recommendation: That the City Council approve the Final Progress Payment (less 10% Retention) to Sully Miller Contracting Company of Brea, California, in the amount of \$35,058.47 for the subject project.

NEW BUSINESS

12. Designation of Voting Delegate/Alternate for the Southern California Association of Governments (SCAG) Regional Conference and General Assembly – May 5-6 – La Quinta

Recommendation: That the City Council appoint a voting delegate or, alternatively, up to two alternate voting delegates for purposes of voting at the SCAG Regional Conference and General Assembly.

13. Authorization to Issue a Request for Proposals for the Construction Management Services for the Valley View Grade Separation Project

Recommendation: That the City Council authorize the Director of Public Works to issue a Request for Proposals to provide Construction Management Services for the Valley View Avenue Grade Separation Project.

14. Resolution No. 9311 – Request for Parking Restriction on Marquardt Avenue

Recommendation: That the City Council adopt Resolution No. 9311, which would prohibit parking of vehicles weighing over 6,000 pounds on the west side of Marquardt Avenue north of Bora Drive and implement a tow-away zone for vehicles that violate the restriction.

NEW BUSINESS (Continued)

15. Application for Alcohol Sales Conditional Use Permit Case No. 51

Request for approval to allow the operation and maintenance of an alcoholic beverage use involving the storage and wholesale distribution of alcoholic beverages at 10155 Painter Avenue, located in the M-2/PD Heavy Manufacturing Zone, located within the Consolidated Redevelopment Project Area. (Hong Chang Corporation/ Jay Sohn, Applicant)

Recommendation: That the City Council approve the application for Alcohol Sales Conditional Use Permit Case No. 51 for a period of one (1) year until May 11, 2012, subject to the listed conditions of approval contained within this staff report.

16. Request for Approval of a Recyclable Materials Dealer Permit for RC Metals (Angelica Montes/Applicant)

Recommendation: That the City Council approve the issuance of Recyclable Materials Dealer Permit No. 22 to RC Metals for an annual renewal period set to expire on June 30, 2011, subject to the conditions of approval as contained within this report.

17. Approve Artwork Concept for the El Greco Development on Burke Street

Recommendation: That the City Council approve the artwork concept by Dan Ho for the El Greco development at 11650 Burke Street.

CLOSED SESSION

18. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION
(Subdivision (a) of Section 54956.9)

Names of Cases: City v. PPF Industrial Valley View LP; Valley View Santa Fe Springs, LLC

Please note: *Item Nos. 19 – 32 will commence in the 7:00 p.m. hour.*

19. **INVOCATION**

20. **PLEDGE OF ALLEGIANCE**

INTRODUCTIONS

21. Representatives from the Youth Leadership Committee

22. Representatives from the Chamber of Commerce

23. **ANNOUNCEMENTS**

PRESENTATIONS

24. Proclaiming April 22, 2011, as "Earth Day"

Recommendation: That the City Council proclaim April 22, 2011, as "Earth Day" in Santa Fe Springs.

25. Proclaiming April 2011 as Sexual Assault Awareness Month and April 27, 2011, as "Denim Day"

Recommendation: That the City Council proclaim April 2011 as Sexual Assault Awareness Month and April 27, 2011, as "Denim Day" in Santa Fe Springs.

26. Proclaiming April 29, 2011, as "Arbor Day"

Recommendation: That the City Council proclaim April 29, 2011, as Arbor Day in Santa Fe Springs.

27. Presentation to Nickie Stradley in Recognition of 33 Years of Volunteer Service

Recommendation: The Mayor may wish to call upon Julie Herrera to assist with this presentation.

28. Presentation to Raquel Cabral in Recognition of Outstanding Athletic and Academic Achievements

Recommendation: The Mayor may wish to call upon Wayne Bergeron to assist with this presentation.

29. **APPOINTMENTS TO BOARDS, COMMITTEES, COMMISSIONS**

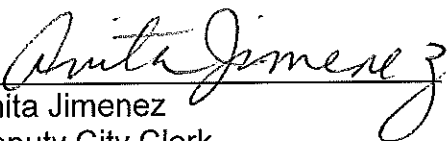
30. **ORAL COMMUNICATIONS**

This is the time when comments may be made by interested persons on matters not on the agenda having to do with City business.

31. **EXECUTIVE TEAM REPORTS**

32. **ADJOURNMENT**

I hereby certify under penalty of perjury under the laws of the State of California, that the foregoing agenda was posted at the following locations; Santa Fe Springs City Hall, 11710 Telegraph Road; Santa Fe Springs City Library, 11700 Telegraph Road; and the Town Center Plaza (Kiosk), 11740 Telegraph Road, not less than 72 hours prior to the meeting.


Anita Jimenez
Deputy City Clerk

April 7, 2011
Date

**CITY OF SANTA FE SPRINGS
MINUTES FOR THE 5:30 PM SPECIAL MEETING
OF THE CITY COUNCIL AND
COMMUNITY DEVELOPMENT COMMISSION**

MARCH 10, 2011

1. CALL TO ORDER

Mayor Serrano called the Special Meeting of the City Council and CDC to order at 6:40 p.m.

2. ROLL CALL

Present: Councilmembers/Commissioners González, Moore, Trujillo, Mayor Pro Tem/Vice Chair Rounds, and Mayor/Chair Serrano

Also present: Thaddeus McCormack, City Manager; Anita Jimenez, Deputy City Clerk; Steve Skolnik, City Attorney; Paul Ashworth, Director of Planning & Community Development; Don Jensen, Director of Public Works; Dino Torres, Director of Police Services; Maricela Balderas, Director of Family & Human Services; Jose Gomez, Director of Finance & Administrative Services; Alex Rodriguez, Fire Chief

3. NEW BUSINESS

Consideration of Property and Assets Transfer Between the Santa Fe Springs
Community Development Commission and City of Santa Fe Springs

The City Manager stated that imminent action by the State Legislature in response to the Governor's proposal to eliminate Redevelopment Agencies, the details of which had only become available within the last few days, necessitates that the City Council and CDC consider certain actions to secure assets of the CDC that are intended to ultimately benefit the City's General fund, but which are vulnerable to be taken by the State or liquidated in the event that Redevelopment Agencies are disbanded. Other cities have taken a variety of similar actions, ranging from cautious in nature to aggressive. Staff is recommending a prudent course of action to secure current assets as a means of securitizing the contractually bound debt that the CDC owes the City, in so much as the funds identified for repayment of those debts could be taken by the State. There are two recommended courses of action, the first involving real estate. The CDC owns five properties, identified in this report as being vulnerable vis-à-vis the elimination of redevelopment. These are sites that are not currently contractually obligated for development, but for which the CDC intends to develop in the future. The bill that would eliminate redevelopment, if passed, would require the City to sell the land and disperse the assets to a variety of "taxing entities". The City would get only a small portion of the proceeds. If instead the City already owns the properties at the time that the bill is passed, the City will still likely have to sell the properties, but would be able to retain a greater percentage of the sale proceeds. If the bill is adopted, the CDC won't have the resources pay its obligations to the City which pertain to the agreements entered into last month. The recommended actions are intended to securitize those CDC obligations.

Paul Ashworth stated that the CDC actually owns 12 properties, but seven properties not identified on the list of properties are not as vulnerable to being taken by the State because they are contractually bound by long-term leases. Nonetheless, Steve Skolnik stated that all CDC properties, including those with long-term leases, may be vulnerable and therefore recommended that the Council consider including all twelve properties in their action. It was also noted that because of the short notice, the grant deeds and legal descriptions would not likely be completed and ready to be recorded until Monday. Mr. Ashworth further stated that if the deeds are not recorded before the legislature takes action, the transfer would not occur.

Staff committed to endeavoring to complete and record the deeds as expeditiously as possible.

The second action pertains to annual loans that the City makes to the CDC for operational expenses. The loans are usually paid back in September. At this time, the CDC owes the City \$8,846,000. It is recommended that the two relevant loans outlined in Resolutions Nos. 9285 and 9286 be paid back immediately, because the bill may not treat this type of obligation as contractually enforceable.

There would still be a need for the City to loan money to the CDC for operational purposes, so it is recommended that this be done on a month-by-month basis. At this time, staff does not recommend committing excess funds to projects that may not be started or completed in a timely manner. Given the complexity of this issue, staff would not have been able to address a project list in the amount of time available for this meeting. Staff will come back to Council with a list of viable projects in the future. Councilmember Gonzalez stated that he would like to see a list of CIP projects at the next meeting to get some projects moving.

Councilmember Moore moved:

- (1) that the CDC transfer the properties on the attachment to the report to the City, as well as any other vulnerable properties as identified by the City Manager, Executive Director, and City Attorney, with the concurrence of the applicable two-member Council ad hoc committee.;
- (2) that the City Council accept such transfer on behalf of the City, subject to all redevelopment plans, agreements, laws, and regulations which impact the disposition and development of such property, thereby binding the City to dispose of such property in the same manner as would be required of the CDC.;
- (3) that the City Council and CDC Authorize the Director of Finance and Administrative Services to effectuate the CDC's repayment of loans it received from the City identified in previously adopted Resolution Nos. 9285 and 9286 in the amounts of \$8,646,000 and \$200,000, respectively, under the terms provided in the respective resolutions.;
- and,
- (4) that the City Council and CDC Adopt City Resolution No. 9309 and CDC Resolution No 260-2011, respectively, which authorize the City to loan the CDC funds necessary to conduct the day-to-day operation of the CDC on a month-to-month basis.

Mayor Pro Tem Rounds seconded the motion which carried unanimously.

4. **ADJOURNMENT**

Mayor Serrano adjourned the meeting at 6:55 p.m.

Joseph D. Serrano, Sr.
Mayor

ATTEST:

Anita Jimenez, Deputy City Clerk

Date

**CITY OF SANTA FE SPRINGS
MINUTES FOR THE REGULAR MEETINGS OF THE
COMMUNITY DEVELOPMENT COMMISSION
AND CITY COUNCIL**

MARCH 10, 2011

1. CALL TO ORDER

Mayor Serrano called the Community Development Commission and City Council meetings to order at 6:56 p.m.

2. ROLL CALL

Present: Commissioners/Councilmembers González, Moore, Trujillo, Vice Chairperson/Mayor Pro Tem Rounds, and Chairperson/Mayor Serrano

Also present: Thaddeus McCormack, City Manager; Anita Jimenez, Deputy City Clerk; Steve Skolnik, City Attorney; Paul Ashworth, Director of Planning & Community Development; Don Jensen, Director of Public Works; Dino Torres, Director of Police Services; Maricela Balderas, Director of Family & Human Services; Jose Gomez, Director of Finance & Administrative Services; Alex Rodriguez, Fire Chief

COMMUNITY DEVELOPMENT COMMISSION

3. REPORTS OF THE CITY MANAGER AND EXECUTIVE DIRECTOR

No reports.

4. CONSENT AGENDA

Approval of Minutes

- A. Minutes of the Adjourned Regular Community Development Commission Meeting of February 10, 2011

Recommendation: That the Community Development Commission approve the minutes as submitted.

- B. Minutes of the Regular Community Development Commission Meeting of February 10, 2011

Recommendation: That the Community Development Commission approve the minutes as submitted.

Commissioner González moved the approval of Items 4A & B. Vice Chairperson Rounds seconded the motion, which carried unanimously.

NEW BUSINESS

5. Extension of Section of 1.03 of the Purchase and Sale Agreement between the CDC and Villages at Heritage Springs LLC

Recommendation: That the Community Development Commission approve the extension of the deadline date set forth in Section 1.03 of the Purchase and Sale Agreement regarding Affordable Housing Assistance until September 30, 2012.

Commissioner González moved the approval of Item 5. Vice Chairperson Rounds seconded the motion, which carried unanimously.

The City Attorney recommended that the CDC move Item 6 to the end of the Agenda.

CITY COUNCIL

7. CONSENT AGENDA

Approval Minutes

- A. Minutes of the Adjourned Regular City Council Meeting of February 10, 2011

Recommendation: That the City Council approve the minutes as submitted.

- B. Minutes of the Regular City Council Meeting of February 10, 2011

Recommendation: That the City Council approve the minutes as submitted.

Mayor Pro Tem Rounds moved the approval of Items 7A & B. Councilmember Trujillo seconded the motion, which carried unanimously.

FINAL PAYMENT

8. Little Lake Park Playground Equipment Replacement - Final Progress Payment (Less 5% Retention)

Recommendation: That the City Council approve the Final Progress Payment (less 5% Retention) to Micon Construction of Placentia, CA, in the amount of \$138,948.16 for the subject project.

Councilmember González moved the approval of Item 8; Councilmember Moore seconded the motion, which carried unanimously.

NEW BUSINESS

9. Resolutions of Consideration to Amend and Restate the Rate and Method of Apportionment of the Special Tax for Community Facilities District No. 2002-1 and Community Facilities District 2004-1

Recommendation: That the City Council: 1) Adopt Resolution No. 9306, a Resolution of Consideration to amend and restate the rate and method of apportionment of a special tax for Community Facilities District (CFD) 2002-1; and, 2) Adopt Resolution No. 9307, a Resolution of Consideration to amend and restate the rate and method of apportionment of a special tax for Community Facilities District 2004-1.

Councilmember Moore moved the approval of Item 9; Councilmember Trujillo seconded the motion, which carried unanimously.

10. Resolution No. 9308 – Ordering the Preparation of the Engineer's Report for FY 2011/12 in Conjunction with the Annual Levy of Assessments for Street Lighting District No. 1

Recommendation: That the City Council adopt Resolution No. 9308, ordering the preparation of the Engineer's Report for FY 2011/12 in conjunction with the annual levy of assessments for Street Lighting District No. 1.

Mayor Pro Tem Rounds moved the approval of Item 10; Councilmember Moore seconded the motion, which carried unanimously.

11. Approval of Utility Agreement with Chevron USA Inc. for the Valley View Avenue Grade Separation Project

Recommendation: That the City Council take the following actions: 1) Approve the Utility Agreement with Chevron USA Inc. for the Valley View Avenue Grade Separation Project; and, 2) Authorize the Director of Public Works to execute the Utility Agreement.

Councilmember Moore moved the approval of Item 11; Councilmember González seconded the motion, which carried unanimously.

12. Request Approval to Donate a 1982 Van Pelt Fire Engine to the Rio Hondo Fire Academy

Recommendation: That the City Council authorize the Fire Chief to donate a 1982 Van Pelt Fire Engine to the Rio Hondo Fire Academy.

Councilmember González moved the approval of Item 12; Mayor Pro Tem Rounds seconded the motion, which carried unanimously.

Mayor Serrano recessed the meeting at 6:57 p.m.

Mayor Serrano reconvened the meeting at 7:00 p.m.

13. **INVOCATION**
Pastor Loo of the Calvary Chapel gave the invocation.

14. **PLEDGE OF ALLEGIANCE**
Mayor Pro Tem Rounds led the Pledge of Allegiance.

INTRODUCTIONS

15. Members of the Youth Leadership Committee introduced themselves.
16. Mayor Serrano introduced Wendy Meador of Tangram Interiors and Paul Hesse of Penta Pacific Properties.

ANNOUNCEMENTS

Mayor Serrano called on Maricela Balderas for community announcements.

Mayor Serrano called on Octovio Perez, Principal of Ranch Santa Gertrudes. Principal Perez announced that the Los Nietos School District is celebrating its 150 anniversary and invited the Council to attend their carnival on March 26.

Mayor Pro Tem Rounds congratulated the school district for their recent achievement of raising student test scores.

PRESENTATIONS

18. Introduction of New Santa Fe Springs Policing Team Members

Recommendation: The Mayor may wish to call upon Dino Torres, Director of Police Services, to introduce the newest members of the Santa Fe Springs Policing Team.

Captain Aviv Barr introduced Officers Matt Lozano, Mike Rosario, and Chief Jeff Piper.

19. Proclaiming the Week of March 20-26, 2011 as "Childhood Cancer Awareness Week" in the City of Santa Fe Springs

Recommendation: That the Mayor call upon the City Clerk to read the proclamation and direct staff to send a signed copy to the American Cancer Fund for Children.

The Mayor called on the Deputy City Clerk to read the proclamation. The Mayor presented the proclamation to Relay for Life Chair Paul Hesse and former Relay for Life Chair Wendy Meador. Paul Hesse stated the he was excited to co-chair the committee this year with Lisa Boyajian. He thanked Councilmembers Moore and Trujillo for joining the committee as City Council representatives.

APPOINTMENTS TO BOARDS, COMMITTEES, COMMISSIONS

Mayor Serrano created a Purchasing Policies Subcommittee and appointed himself and Councilmember Moore. Councilmember Moore appointed Mary Palomino to the Community Program Committee. Mayor Pro Tem Rounds appointed Alexandra Vergara to the Youth Leadership Committee.

ORAL COMMUNICATIONS

This is the time when comments may be made by interested persons on matters not on the agenda having to do with City business.

Mayor Serrano opened Oral Communications at 7:20 p.m.

Roberta Vega Palomino, 10350 Gridley Road, SFS, addressed the City Council. She asked the City Council with help regarding a problem with a neighbor she claimed was harassing her. The City Attorney stated that the Council was not allowed to respond to her comments at this time, but could direct staff to work the Director of Police Services to see if the issue can be resolved. Captain Barr added that he had responded to both residences on several occasions. Mayor Serrano stated that the City would address the issue and Mayor Pro Tem told Ms. Palomino that she could come talk to him personally if she wished. Mayor Serrano asked staff to keep the Council apprised of the situation.

Mayor Serrano closed Oral Communications at 7:28 p.m.

22. **EXECUTIVE TEAM REPORTS**

Maricela Balderas reminded Council of the Christmas Float Volunteer reception at the Clarke Estate on March 15 at 6:00 p.m.

Councilmember Moore inquired as to the status of PSO Daryl Pedigo who was recently involved in a car accident. Dino Torres reported that Officer Pedigo had returned to work on limited duty. Councilmember Moore also commended staff that took part in the Share-A-Story program at local schools.

23. **ADJOURNMENT**

Mayor Serrano informed the audience that the meeting would be adjourned following the Closed Session in memory of residents Rose Chevere and Felipe Flores. The Community Development Commission went into Closed Session at 7:35 p.m. regarding Item 6 and returned from Closed Session at 8:15 p.m.

The meeting was adjourned at 8:17 p.m.

Joseph D. Serrano, Sr.
Mayor

ATTEST:

Anita Jimenez, Deputy City Clerk

Date

**CITY OF SANTA FE SPRINGS
MINUTES FOR THE 5:00 PM SPECIAL MEETING
OF THE CITY COUNCIL**

MARCH 10, 2011

1. CALL TO ORDER

Mayor Serrano called the Special Meeting of the City Council to order at 5:13 p.m.

2. ROLL CALL

Present: Councilmembers González, Moore, Trujillo, Mayor Pro Tem Rounds, and Mayor Serrano

Also present: Thaddeus McCormack, City Manager; Anita Jimenez, Deputy City Clerk; Steve Skolnik, City Attorney; Paul Ashworth, Director of Planning & Community Development; Don Jensen, Director of Public Works; Dino Torres, Director of Police Services; Maricela Balderas, Director of Family & Human Services; Jose Gomez, Director of Finance & Administrative Services; Alex Rodriguez, Fire Chief

3. STUDY SESSION

Law Enforcement Contract with the City of Whittier

City Manager Thaddeus McCormack introduced the proposal to amend the Contract between the City of Santa Fe Springs and the City of Whittier Police Department, followed by a presentation from newly appointed Whittier Police Chief Jeff Piper on existing Whittier PD policing efforts in Santa Fe Springs and future goals.

City Manager proceeded in summarizing the proposed contract changes:

In general there are three (3) areas of focus in terms of change:

- 1) Updates to contract language to reflect actual operations and practices, including replacing outdated personnel titles for current ones (e.g., Director of Police Services replacing reference to Assistant City Manager and Director of Police/Community Relations).
- 2) Term of the contract, and consequently the severance provisions. The initial contract was for 5 years, with 1 year evergreen extensions and 12 month severance notification. The proposed contract would be for 3 years with 3 year extensions and 18 months severance notification.

The original severance provisions allowed Whittier to keep serviceable equipment that existed from the onset of the contract and gave equipment purchased through the Equipment Replacement Fund to Santa Fe Springs. Additionally, Santa Fe Springs was responsible for 3 months of severance pay for Whittier employees laid off as a result of the contract's termination, as well as Whittier's share of unemployment payments. The new contract has a more comprehensive and precise manner of calculating and

assessing termination costs, including costs associated with relocation of personnel and equipment, re-programming of software and hardware, and estimated costs of the workers compensation and liability claims occurring through the term of the contract, as well as the costs delineated in the original contract.

3) Indemnification and Liability. The original contract had Whittier carry the lion's share of liability, as well as provided for one-way indemnification flowing from Whittier to Santa Fe Springs. The new contract proposes an approach more typical of conventional interagency agreements that provided for shared liability and reciprocal indemnification.

The City Council asked questions of the City Manager, Director of Police Services, and Chief of Police relating to investigations of citizen complaints; tenure of officers assigned to Santa Fe Springs; assignment/bailing of equipment; community based policing; responsiveness to community and City Council; shared liability and cost allocation.

Councilmember González shared his concern that the title "*Director of Police Services*" was not substituted for the deleted "*Assistant City Manager and Director of Police/Community Relations*" in all instances. He wanted to make it clear that the Director of Police Services is responsible for ensuring the conditions of the contract are met from an operational standpoint, and should be the City Manager's "*designee*" *wherever such designation is called for*. The City Manager concurred that there is no intent to exclude the Director of Police Services from any responsibility under the contract and that he agrees with Councilmember González's characterization of the role that the Director of Police Services plays in overseeing the contract. The City Manager will ensure that "Director of Police Services" was inserted in all instances, as well as under General Policies, Paragraph 3 to reflect "Designee" referring to the Director of Police Services.

Councilmember Moore inquired if they can take a look at Whittier's total end-of-year costs relative to the number of sworn personnel assigned to Whittier. The City Manager indicated that he would bring this information to the Council as part of the upcoming Budget process.

Councilmember González requested a report on overtime costs for the past three (3) years.

Steve Skolnik noted that the recommendation could be made to include language that authorized staff to make minor changes in the language, contingent upon the approval of the City Attorney, City Manager, and Council subcommittee, so that the contract would not have to be presented at a future Council meeting.

Mayor Serrano asked if there was a motion, including the authorization for staff to make minor changes in the language contingent upon the approval of the City Attorney, City Manager, and Council subcommittee. Councilmember González moved to approve the Law Enforcement Agreement between the Cities of Whittier and Santa Fe Springs, including the authorization for staff to make minor changes in the language contingent upon the approval of the City Attorney, City Manager, and Council subcommittee. Councilmember Trujillo seconded the motion, which carried unanimously.

The Mayor stated that he was very appreciative of the staff of the Whittier Police Department.

4. **ADJOURNMENT**

Mayor Serrano adjourned the meeting at 6:38 p.m.

Joseph D. Serrano, Sr.
Mayor

ATTEST:

Anita Jimenez, Deputy City Clerk

Date

REFER TO ITEM 4A

REFER TO ITEM 4B

6C



PUBLIC HEARING - RESOLUTION NO. 9312

Approval of Resolution No. 9312 – Calling for Special Election to Amend and Restate the Rate and Method of Apportionment of Special Tax Under City of Santa Fe Springs Community Facilities District No. 2002-1

RECOMMENDATION

1. That the Mayor open the Public Hearing and hear from anyone wishing to speak on this matter;
2. That, if the proposed amendment and restatement of the Rate and method of Apportionment of Special Tax under Community Facilities District No. 2002-1 is not opposed by more than 50% of the owners of land within the CFD, the City Council adopt Resolution No. 9312 Calling for Special Election to Amend and Restate the Rate and Method of Apportionment of Special Tax under Community Facilities District FD No. 2002-1.

BACKGROUND

On March 10, 2011, the City Council adopted Resolution No. 9306, a Resolution of Consideration to Amend and Restate the Rate and Method of Apportionment of Special Tax under Community Facilities District (CFD) No. 2002-1. Pursuant to this action, the City Council approved the proposed amended and restated Rate and Method (attached as Exhibit A), and set a Public Hearing for April 14, 2011, on the question of amending and restating the Rate and Method.

If the proposed amendment and restatement of the Rate and Method is not opposed by more than 50% of the owners of land within the CFD, California Government Code Section 53338 authorizes holding of a special election of the qualified electors (defined as landowners) in the CFD on the issue of amending and restating the Rate and Method.

Resolution No. 9312 (attached) sets forth the conditions of the special election in accordance with Section 53338, including the ballot form (attached as Exhibit B), the ballot submittal deadline of 5:00 p.m. on July 14, 2011, and the election date of July 14, 2011, at 6:00 p.m. or as soon thereafter as practicable. The City Clerk is designated as the official to conduct said election and to receive all ballots. The election shall be conducted by messenger or mail-delivered ballot under the direction of the City Clerk. Each ballot will be accompanied by all supplies and written instructions necessary for the use and return of the ballot.



City of Santa Fe Springs

City Council Meeting

April 14, 2011

The City Council formed Community Facilities District (CFD) No. 2002-1 pursuant to the Mello- Roos Community Facilities Act of 1982, as amended. The purpose of CFD 2002-1 is to repay a loan made by the Community Development Commission to Saris-Regis, the developer of adjacent industrial parks on Bloomfield, Lakeland and Florence. The loan was used by the developer to complete certain required public infrastructure improvements needed to support the development and was to be repaid over a 15 year period through the establishment of the CFD special tax on the properties within the development. The loan was recorded as a lien on the title to each affected parcel within the development. The 2002-1 CFD is comprised of three parcels that will repay an \$800,000 loan with a 5.75% interest rate.

Only Exhibits pertaining to Resolution No. 9312 are attached. All other referenced Exhibits pertaining to Resolutions previously approved by the City Council are available from the City Clerk upon request.

Fiscal Impact

No portion of the loan would be forgiven as result of this action; only the duration of the tax to pay back the loan would be modified. The outcome of this action would be to revise the 15-year tax duration beginning with the 2011 property tax bill.

Infrastructure Impact

The loans were used to complete certain required infrastructure improvements needed to support the developments and will be repaid through the establishment of the CFD special tax on the properties within the development. CFD 2002-1 includes an annual infrastructure maintenance tax of \$5,400 that extends beyond the 15-year tax repayment schedule.

Thaddeus McCormack
City Manager

Attachments

Resolution No. 9312-Resolution Calling Special Election to Amend and Restate the Rate and Method of Apportionment of Special Tax for CFD No. 2002-1.
Exhibit A: The Amended and Restated Rate and Method of Apportionment
Exhibit B: Form of Ballot

RESOLUTION NO. 9312

**RESOLUTION CALLING SPECIAL ELECTION TO AMEND AND RESTATE THE RATE AND
METHOD OF APPORTIONMENT OF SPECIAL TAX**

**City of Santa Fe Springs
Community Facilities District No. 2002-1
(Bloomfield-Lakeland)**

RESOLVED, by the City Council (the "Council") of the City of Santa Fe Springs (the "City"), State of California, that:

WHEREAS, the City Council of the City has conducted proceedings under and pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, Chapter 2.5 of Part 1 of Division 2 of Title 5 (commencing with Section 53311) of the California Government Code (the "Act"), to form City of Santa Fe Springs Community Facilities District No. 2002-1 (Bloomfield-Lakeland) (the "CFD"), and to authorize the levy of a special tax (the "Special Tax") upon the land within the CFD to finance certain public services, all as described in those proceedings; and

WHEREAS, the Rate and Method of Apportionment of Special Tax for the CFD (the "Rate and Method"), was attached as Exhibit B to the City Council's Resolution No. 6791 adopted by the City Council on July 25, 2002; and

WHEREAS, the City has been asked by the owners of the property in the CFD to amend the Rate and Method to extend the period of time in which the Special Tax will be levied and, as a result, reduce the annual amount of the Special Tax, and the City Council has found that the public convenience and necessity require the proposed amendment of the Rate and Method; and

WHEREAS, on March 10, 2011, the City Council adopted a "Resolution of Consideration to Amend and Restate the Rate and Method of Apportionment of Special Tax" (the "Resolution of Consideration"), pursuant to which the City Council (i) approved the proposed amended and restated Rate and Method (the "Amended and Restated Rate and Method") in the form attached as Exhibit A to the Resolution of Consideration and (ii) set a public hearing for April 14, 2011 on the question of amending and restating the Rate and Method; and

WHEREAS, the public hearing was held on this date and the proposed amendment and restatement of the Rate and Method were not opposed by more than 50% of the owners of land within the CFD; and

WHEREAS, Government Code Section 53338 authorizes the holding of a special election of the qualified electors in the CFD on the issue of amending and restating the Rate and Method.

NOW, THEREFORE, IT IS ORDERED as:

1. The Amended and Restated Rate and Method is approved in the form attached hereto as Exhibit "A" and this reference incorporated herein.

2. As authorized by Section 53338 of the Act, the proposition to approve the Amended and Restated Rate and Method shall be placed upon a ballot, the form of which is attached hereto as Exhibit "B" and by this reference incorporated herein. Said form of the ballot is hereby approved.

3. This City Council hereby finds that fewer than 12 persons have been registered to vote within the CFD for each of the 90 days preceding the close of the public hearing heretofore conducted and concluded by this City Council for the purposes of these proceedings. Accordingly, and pursuant to the Act, this City Council finds that for purposes of these proceedings the qualified electors are the landowners within the CFD and that the vote shall be by said landowners or their authorized representatives, each having one vote for each acre or portion thereof such landowner owns in the CFD as of the close of the public hearing.

4. This City Council hereby calls a special election to consider the measures described in paragraph 1 above, which election shall be held on July 14, 2011, at 6:00 P.M. or as soon thereafter as is practicable, and the results thereof canvassed at the meeting of this City Council on July 14, 2011 or a later date as may be directed by the Council. This date is at least 90 days, but not more than 180 days, following adoption of this Resolution. The City Clerk is hereby designated as the official to conduct said election and to receive all ballots until the close of business on the election date.

This City Council also finds and determines that the City Clerk has concurred in the holding of the election less than 125 days following adoption of this Resolution.

5. It is hereby acknowledged that the City Clerk has on file the Resolution of Consideration, a certified map of the boundaries of the CFD, and a sufficient description to allow the City Clerk to determine the qualified electors of the CFD. Pursuant to Section 53327 of the Act, the election shall be conducted by messenger or mail-delivered ballot pursuant to Section 4000 of the California Elections Code. This City Council hereby finds that paragraphs (a), (b) and (c)(2) of Section 4000 and Section 4108 are applicable to this special election, except that Section 53326 and 53327 of the Act shall govern for purposes of determining the date of the election.

6. The City Clerk is instructed to transmit the ballot measure to the City Attorney along with a request that an impartial analysis be prepared for inclusion in the Voters Information Pamphlet.

7. Arguments for and against the measure may be submitted to the City Clerk, 11710 East Telegraph Road, Santa Fe Springs, California 90670, until 5:00 p.m. on April 28, 2011. Rebuttals will be permitted and must be submitted to the City Clerk's office by 5:00 p.m. on May 8, 2011.

8. This City Council acknowledges that the City Clerk will cause to be delivered to each of the qualified electors within the CFD a ballot in the form set forth in Exhibit "A." Each ballot shall indicate the number of votes to be cast by the respective landowner to which it pertains.

Each ballot will be accompanied by all supplies and written instructions necessary for the use and return of the ballot. The envelope to be used to return the ballot will be enclosed with the ballot, have the return postage prepaid, and shall contain the following: (a) the name and address of the landowner, (b) a declaration, under penalty of perjury, stating that the voter is the

owner of record or authorized representative of the landowner entitled to vote and is the person whose name appears on the envelope, (c) the printed name, signature and address of the voter, (d) the date of signing and place of execution of the declaration pursuant to clause (b) above, and (e) a notice that the envelope contains an official ballot and is to be opened only by the canvassing official.

9. The voted ballots shall be returned to the City Clerk no later than 5:00 P.M. on July 14, 2011. The City Clerk shall accept the ballots of the qualified electors in the meeting room of the City Council, whether said ballots be personally delivered or received by mail. The City Clerk shall have available ballots which may be marked at said location on the election day by said qualified electors.

10. This Resolution shall take effect upon its adoption.

* * * * *

PASSED AND ADOPTED at the regular meeting of the City Council of the City of Santa Fe Springs, State of California, on this 14th day of April, 2011 by the following vote to wit:

AYES:

NOES:

ABSENT:

By: _____
Mayor

ATTEST:

City Clerk

EXHIBIT "A"

AMENDED AND RESTATED RATE AND METHOD OF APPORTIONMENT FOR CITY OF SANTA FE SPRINGS COMMUNITY FACILITIES DISTRICT NO. 2002-1 (Bloomfield-Lakeland)

This Amended and Restated Rate and Method of Apportionment of Special Tax amends and restates in its entirety that certain Rate and Method of Apportionment of Special Tax (the "Original Rate and Method"). The Original Rate and Method was attached as Exhibit B to the Notice of Special Tax Lien for City of Santa Fe Springs Community Facilities District No. 2002-1 (Bloomfield-Lakeland) ("CFD No. 2002-1"), which was recorded in the real property records of the County of Los Angeles on January 9, 2003, as Document No. 03-0077048.

The Special Taxes as hereinafter defined shall be levied on all Assessor's Parcels in CFD No. 2002-1 and collected each fiscal year commencing in Fiscal Year 2011-12, in the amounts determined as described below. All of the real property in CFD No. 2002-1, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Division 2 of Title 5 of the Government Code of the State of California.

"Administrative Expenses" means the following actual or reasonably estimated costs directly related to the administration of CFD No. 2002-1: the costs of computing the Special Taxes and preparing the annual Special Tax collection schedules (whether by the City or designee thereof or both); the costs of collecting the Special Taxes (whether by the City or otherwise); the costs to the City, CFD No. 2002-1 or any designee thereof of complying with disclosure requirements of the City, CFD No. 2002-1 or obligated persons associated with applicable federal and state securities laws and the Act; the costs associated with preparing Special Tax disclosure statements and responding to public inquiries regarding the Special Taxes; the costs of the City, CFD No. 2002-1 or any designee thereof related to any appeal of the Special Tax; and the City's annual administration fees and third party expenses. Administrative Expenses shall also include amounts estimated by the CFD Administrator or advanced by the City or CFD No. 2002-1 for any other administrative purposes of CFD No. 2002-1, including attorney's fees and other costs related to commencing and pursuing to completion any foreclosure of delinquent Special Taxes. The maximum amount for the Administrative Expenses is set at \$6,500 for Fiscal Year 2011-12; the maximum amount for subsequent Fiscal Years shall be equal to (i) the maximum amount for the Administrative Expenses for the previous year plus (ii) the product of multiplying (A) the maximum amount for the Administrative Expenses for the previous year times (B) the annual percentage change (if positive) in CPI for the preceding year ending in March.

"Annual Debt Service" means the annual amount of principal and interest required to satisfy the \$800,000 loan amount set forth in the Payment Agreement, over a 15 year period

AMENDED AND RESTATED RATE AND METHOD OF APPORTIONMENT

commencing Fiscal Year 2011-12 (assuming no delinquencies) at an interest rate of 5.75%, assuming level payments.

"Assessor's Parcel" means a parcel shown in an Assessor's Parcel Map with an assigned Assessor's parcel number.

"Assessor's Parcel Map" means an official map of the Assessor of the County of Los Angeles designating parcels by Assessor's Parcel number.

"Building Square Footage" means the building area as shown on the building permit.

"CFD Administrator" means the person or firm that the City chooses to make responsible for determining the Special Tax Requirement and providing for the levy and collection of the Special Taxes.

"CFD No. 2002-1" means City of Santa Fe Springs Community Facilities District No. 2002-1 (Bloomfield-Lakeland).

"City" means the City of Santa Fe Springs.

"City Council" means the City Council of the City of Santa Fe Springs, acting as the legislative body of CFD No. 2002-1.

"County" means the County of Los Angeles.

"CPI" means the Consumer Price Index for All Urban Consumers, for the Los Angeles, Riverside and Orange County areas, published by the U.S. Department of Labor, Bureau of Labor Statistics, or, if such index is no longer published, a reasonably equivalent index selected by the CFD Administrator.

"Exempt Property" means all Assessor's Parcels not subject to the Special Tax for Payment Amount as described under Section I.

"Fiscal Year" means the period starting July 1 and ending on the following June 30.

"Maintenance Expenses" means the expenses of the City, whether incurred by the City or designee of the City, or both, in the furnishing of services (as defined in Section 53317 of the Act) and materials for maintenance of certain streets as specified in condition No. 26 of the Development Plan Approval No. 737-739 approved by the City's Community Development Commission on March 14, 2002 and attached as Exhibit B to the Payment Agreement. The maximum amount for Maintenance Expenses, including reserve funding, is set at \$5,400 for Fiscal Year 2011-12; the maximum amount for subsequent Fiscal Years will be equal to (i) the Maintenance Expenses for the previous year plus (ii) the product of multiplying (A) the Maintenance Expenses for the previous year times (B) the annual percentage change (if positive) in CPI for the preceding year ending in March.

"Maximum Special Tax for Payment Amount" means the maximum Special Tax for Payment Amount, determined in accordance with Section C below that can be levied in any Fiscal Year on any Assessor's Parcel.

"Maximum Special Tax for Maintenance" means the maximum Special Tax for Maintenance, determined in accordance with Section G below that can be levied in any Fiscal Year on any Assessor's Parcel.

AMENDED AND RESTATED RATE AND METHOD OF APPORTIONMENT

"Parcel" means Assessor's Parcel.

"Payment Agreement" means that certain Payment Agreement, dated as of March 28, 2002, by and between the City and Bloomfield Partners, LLC, which Payment Agreement is attached as Exhibit A.

"Proportionately" means for Taxable Property, in any Fiscal Year, that the ratio of the actual Special Tax levy to the Maximum Special Tax is equal for all Assessor's Parcels of Taxable Property.

"Public Property" means any Assessor's Parcel within the boundaries of CFD No. 2002-1 that is transferred to a public agency or public utility on or after the date of formation of CFD No. 2002-1 and is used for rights-of-way, or any other purpose and is owned by, dedicated or irrevocably offered for dedication to the federal government, the State of California, the County, the City, a public utility or any other public agency; provided however that any property leased by a public agency to a private entity and subject to taxation under Section 53340.1 of the Act shall be taxed and classified in accordance with its use. Privately-owned property that is otherwise constrained by public or utility easements making impractical its utilization for other than the purposes set forth in the easement shall be considered Public Property.

"Special Tax for Maintenance" means the special tax to be levied in each Fiscal Year on each Assessor's Parcel of Taxable Property to fund the Special Tax for Maintenance Requirement.

"Special Tax for Maintenance Requirement" means that amount required in any Fiscal Year for CFD No. 2002-1 equal to the maximum amount for Maintenance Expenses and the maximum amount of Administrative Expenses.

"Special Tax for Payment Amount" means the special tax to be levied in each Fiscal Year on each Assessor's Parcel of Taxable Property to fund the Special Tax for Payment Amount Requirement.

"Special Tax for Payment Amount Requirement" means that amount required in any Fiscal Year for CFD No. 2002-1 equal to the Annual Debt Service.

"Special Taxes" means, collectively, the Special Tax for Payment Amount and the Special Tax for Maintenance.

"State" means the State of California.

"Taxable Property" means all of the Assessor's Parcels within the boundaries of CFD No. 2002-1 which are not Exempt Property.

B. CLASSIFICATION OF PROPERTIES

All Assessor's Parcels shall be classified as Taxable Property or Exempt Property.

Once classified as Taxable Property, a parcel may not be subsequently re-classified or changed to Exempt Property without the Special Tax for Payment Amount being paid off in full in accordance with Section E. The Special Tax for Maintenance cannot be prepaid and any parcel of Taxable Property that is re-classified as Exempt Property with respect to the Special Tax for Payment Amount shall remain subject to the Special Tax for Maintenance.

AMENDED AND RESTATED RATE AND METHOD OF APPORTIONMENT

C. SPECIAL TAX FOR PAYMENT AMOUNT RATE

Maximum Special Tax for Payment Amount

The Maximum Special Tax for Payment Amount for Assessor's Parcels of Taxable Property shall be calculated for each Fiscal Year as follows:

First, the City shall calculate the Annual Debt Service for the Fiscal Year.

Second, the amount calculated in First shall be apportioned to all parcels of Taxable Property Proportionately based on the amount of Building Square Footage.

D. MANNER OF COLLECTION OF SPECIAL TAXES

The Special Taxes shall be collected in the same manner and at the same time as ordinary *ad valorem* property taxes; provided, however, that CFD No. 2002-1 may directly bill the Special Taxes, may collect Special Taxes at a different time or in a different manner if necessary to meet its financial obligations, and may covenant to foreclose and may actually foreclose on delinquent Assessor's Parcels as permitted by the Act.

E. PREPAYMENT OF SPECIAL TAX FOR PAYMENT AMOUNT

The Special Tax for Payment Amount may be prepaid, in whole or in part, at any time.

F. TERM OF SPECIAL TAX FOR PAYMENT AMOUNT

The Special Tax for Payment Amount shall be levied on Taxable Property for a period not to exceed 15 years; provided, however, that the Special Tax for Payment Amount may be levied for a longer period of time if, as a result of delinquencies in the payment of the Special Tax for Payment Amount, it has not collected an amount sufficient to pay the Payment Sum (as defined in the Payment Agreement).

G. SPECIAL TAX FOR MAINTENANCE RATE

Maximum Special Tax for Maintenance

Commencing with Fiscal Year 2011-12 and for each subsequent Fiscal Year, the Council shall levy the Special Tax for Maintenance on all Assessor's Parcels of Taxable Property up to the applicable Maximum Special Tax for Maintenance to fund the Special Tax for Maintenance Requirement.

The Special Tax for Maintenance Requirement shall be apportioned to all parcels of Taxable Property Proportionately based on the amount of Building Square Footage.

H. TERM OF SPECIAL TAX FOR MAINTENANCE

The Special Tax for Maintenance shall be levied in perpetuity to fund the Special Tax for Maintenance Requirement unless no longer required as determined at the sole discretion of the Council.

If the levy of the Special Tax for Maintenance is repealed by initiative or any other action participated in by the owners of the Assessor's Parcels in CFD 2002-1, the City shall have no obligation to provide the services for which the Special Tax for Maintenance was levied.

AMENDED AND RESTATED RATE AND METHOD OF APPORTIONMENT

I. EXEMPTIONS

The CFD Administrator shall classify Assessor's Parcels of Public Property as Exempt Property.

Tax-exempt status will be assigned by the CFD Administrator in the chronological order in which Assessor's Parcels become Public Property. However, should an Assessor's Parcel no longer be classified as Public Property, its tax exempt status will be revoked.

J. ENFORCEMENT

If not paid when due, the City shall have the right to foreclose any delinquent Special Tax for Payment Amount by appropriate action in a court of competent jurisdiction, such action to include all court costs, attorney fees and costs of sale.

AMENDED AND RESTATED RATE AND METHOD OF APPORTIONMENT

EXHIBIT A

PAYMENT AGREEMENT

PAYMENT AGREEMENT

This Payment Agreement ("Agreement") is made and entered into as of March 28, 2002, by and between the City of Santa Fe Springs ("City"), and Bloomfield Partners, LLC, a Delaware limited liability company (together with its successor and assigns, "Developer").

Recitals

A. Developer intends to develop that certain real property located in City, legally described in Exhibit "A", attached hereto (the "Property").

B. On March 11, 2002, City's Planning Commission granted Development Plan Approval ("DPA No. 737-739") for Developer's proposed development of the Property (the "Project"); on March 14, 2002, the Community Development Commission of the City of Santa Fe Springs also approved DPA No. 737-739. A copy of DPA No. 737-739 is attached hereto as Exhibit "B", and is incorporated by reference as though fully set forth herein.

C. DPA No. 737-739 provides that the parties may enter into this Agreement.

D. Developer intends to apply for a subdivision of the Property ("Proposed Subdivision"), pursuant to which the Property would be divided into three (3) separate legal parcels. A number of the conditions contained in DPA No. 737-739, including, but not limited to, those described in Section 1 below, were imposed in anticipation of said Proposed Subdivision (the "Proposed Subdivision Conditions").

E. The conditions imposed in conjunction with DPA No. 737-739 were intended to address all impacts anticipated by the City and likely to arise in connection with the full permitting and development of the Project ("Anticipated Impacts").

Based on the Recitals set forth above and the mutual promises set forth below, the parties agree as follows:

1. Developer shall pay to City the principal sum of \$800,000.00 (the "Payment Sum") in accordance with the provisions of this Agreement, which payment shall constitute full satisfaction of the following, except as set forth in Sections 2 and 3, below:

(i) Developer's obligations set forth in DPA No. 737-739 Condition Nos. 5, 6, 7, 14, 21, 22, 25, 26.a and 27, as well as similar conditions that may be imposed in respect of the Anticipated Impacts, including similar conditions that may be imposed in respect of the Proposed Subdivision Conditions. Developer shall not be obligated to construct any of the items described in such conditions, and City holds Developer harmless from and against such obligations, notwithstanding: (a) the fact that the Payment Sum has not yet been fully paid (so long as Developer is making payments in accordance with Section 4 below); and (ii) the failure of City to commence or complete such construction (although the City shall have no obligation to Developer to undertake such construction).

(ii) Developer's obligation to pay any City imposed fees or charges in connection with the planning, permitting, or inspection of the Project (collectively, the "Project Fees"), including, without limitation, fees and charges in respect of (a) the City's review, processing and approval of any building, grading, drainage, utility, street and sidewalk, subdivision (including, without limitation, any filing fees or map checking fees required in connection with the Proposed Subdivision), environmental compliance (including, without limitation, any fees required in connection with soil or methane gas monitoring programs), excavation or similar plans, (b) any applications for building, mechanical, electrical, plumbing, structural, occupancy, environmental, or similar permits, (c) any building, grading, fire, health and safety, street and sidewalk or other inspections; and (d) any development impact fees, including the City's Heritage Artwork in Public Places Program.

2. In the event that the total amount chargeable to Developer in Project Fees exceeds \$300,000.00, then Developer shall pay to City the amount by which such Project Fees exceed \$300,000.00, prior to the issuance of any building permits for the Project. The payment of such amount shall be a condition precedent to the issuance of any such permits by City. Such payment shall be separate from, and in addition to, the payment of \$800,000.00, as described in Section 1, above.

3. As to DPA No. 737-738 Condition No. 25, the payment described in Section 1, above, satisfies Developer's obligations, except that it does not satisfy the obligation to agree to adjustments to the existing Street Light Assessment District, as set forth in Condition No. 25.

4. Developer shall pay the Payment Sum to City in accordance with the following:

A. Interest shall accrue at a fixed annual rate of Five and Three Quarters Percent (5.75%), which both the City and Developer agree is the Prime Rate plus One Hundred (100) basis points on the date of this Agreement, and shall be payable in installments as set forth in Section 4B. Interest shall begin to accrue as of the first date any Project Fees would have otherwise been due and payable to the City but for the agreements set forth herein.

B. Developer shall make monthly installment payments of principal and interest of \$6,750.00 ("Installment Payments"), beginning and continuing as provided in Section 4.C. That portion of the Installment Payments not allocated to accrued interest under Section 4.A shall be allocated to the principal amount of the Payment Sum. The parties hereto estimate that the term of the Installment Payments will be 175 months.

C. Payment of Installment Payments shall begin on the first day of the month following the Permit Anniversary Date, and shall continue on the first day of each month thereafter until the Payment Sum has been paid in full.

D. As used herein, "Permit Anniversary Date" shall mean the date 12 months following issuance of first building permit for development of the Property.

E. It is expressly stipulated and agreed to be the intent of the parties at all times to comply with applicable state law regarding prevailing wages (including, but not limited to, California Labor Code Sections 1720 and 1771) and that this Section shall control every other covenant and agreement in this Agreement and other related documents between the parties regarding the interest rate paid thereunder. If the applicable prevailing wages law, for any reason, is ever found or judicially interpreted to: (i) render the interest rate under this Agreement to be a public works and/or paid for in whole or in part out of public funds (and such interest rate does not comply with any de minimus exception under the applicable prevailing wages law); and/or (ii) subject the terms of this Agreement to prevailing wages, then it is the parties' express intent that (1) Bloomfield Partners LLC shall immediately pay to the City of Santa Fe Springs, as to all payments previously made under this Agreement, the difference between the interest rate paid pursuant to this Agreement and the appropriate interest rate which would not subject this Agreement to prevailing wages, and (2) the provisions of this Agreement and other related documents immediately be deemed reformed to reflect the appropriate interest rate, without the necessity of the execution of any new documents, so as to not subject the terms of this Agreement to the applicable prevailing wages law.

Upon the commencement of Installment Payments, the parties agree to execute and deliver in a timely fashion an agreement which specifically sets forth the remaining term of the Developer's obligations to make Installment Payments under Section 4B above. Further, upon full repayment of the Payment Sum, City shall provide to Developer, at Developer's request, a letter or similar document reasonably acceptable to Developer, confirming that the Developer's payment obligations under this Section 4 are satisfied.

5. In the event that the City approves the Proposed Subdivision, the Payment Sum shall be apportioned between the newly created parcels, based on the relative square footage of the building to be built on each parcel. As of the date of the recording of the final parcel map for the Proposed Subdivision, the owner of each newly created parcel shall be separately obligated to pay to City its apportioned share of the Payment Sum, and shall be relieved of any liability to pay sums allocable to any other parcel owner. In no event shall a default by one parcel owner be attributable to any other parcel owner.

6. Developer shall secure the Payment Sum by providing City with security as follows: a letter of credit in favor of the City obtained by Developer in the amount of \$800,000. The form of the letter of credit and any letter of credit agreement necessary to describe the security arrangement shall be proposed by Developer and approved by the City Attorney, which approval shall not be unreasonably withheld. The letter of credit or letter of credit agreement shall contain customary provisions releasing the security provided thereby proportionately as the principal amount of the Payment Sum is reduced.

The letter of credit or letter of credit agreement shall also contain provisions permitting the Developer to replace existing security with other security of comparable value, subject to approval by the City Attorney, which approval shall not be unreasonably withheld. The approval and perfecting of such security is a condition precedent to City's issuance of any building permits for the Project.

7. Developer and City have agreed to form a Community Facilities District No. 2002-1 (the "Community Facilities District"). After the Ordinance of the City Council of the City of Santa Fe Springs levying special taxes within such Community Facilities District becomes effective, City acknowledges and agrees that all of Developer's obligations under this Agreement, except as specifically provided in this Section 7 (collectively referred to herein as the "Payment Amount") shall be deemed fully satisfied and complied with including, without limitation, Developer's obligation (i) to pay the Payment Sum to the City or to satisfy the DPA Conditions as described in Section 1, (ii) to provide security for the Payment Sum under Section 6, and any letter of credit issued pursuant thereto shall be released by the City and terminated immediately upon formation of the Community Facilities District, and (iii) to comply with the conditions set forth in DPA No. 737-739 Condition No. 26. Provided, however, Developer acknowledges and agrees that notwithstanding formation of the Community Facilities District, Developer shall not be relieved of its obligation to pay to the City (a) Project Fees in excess of \$300,000 as, and to the extent, described in Section 2 above, or (b) the amount equal to any adjustments to the existing Street Light Assessment District as, and to the extent, described in Section 3 above.

8. This Agreement shall be assignable by Developer and (subject to Section 5 above) shall run with the land, inure to the benefit of and be binding upon the parties, and all of their successors and assigns. In the event of an assignment of all or any portion of Developer's obligations, the assignor shall be relieved of liability as to that portion assigned, but only if the security described in Section 6, above, is left in place, or replaced with equivalent security, or the obligation is deemed satisfied pursuant to Section 7 above.

9. This Agreement contains the entire agreement of the parties with respect to the subject matter hereof, and supersedes all prior agreements. No amendment hereto, or waiver of any provision hereof, can be made except in a writing executed by both parties.

10. This Agreement shall be governed by the laws of the State of California.

11. If any lawsuit, arbitration, or other action is brought by either party against the other party, the prevailing party shall be entitled to recover the reasonable attorneys' fees and court costs it incurred in connection therewith.

Intending to be legally bound, the parties have executed this Agreement, below,
as of the date first set forth above.

City of Santa Fe Springs

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney

Bloomfield Partners LLC, a Delaware
limited liability company

By: Calsmart L.L.C., a Delaware limited liability company
its Manager

By: RREEF America, L.L.C., a Delaware limited liability company
its authorized agent

By: 

LEGAL DESCRIPTION OF PROPERTY

THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 3 SOUTH; RANGE 11 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, LYING WEST OF THE ATCHISON, TOPEKA AND SANTA FE RAILROAD RIGHT-OF-WAY,

EXCEPT THEREFROM THE FOLLOWING THREE (3) STRIPS OF LAND:

STRIP NO. 1; BLOOMFIELD AVENUE:

BEING THE WEST 50.00 FEET OF SAID NORTHWEST QUARTER, MEASURED AT RIGHT ANGLES TO THE WESTERLY LINE THEREOF.

STRIP NO. 2; LAKELAND ROAD:

BEING THE NORTH 40.00 FEET OF SAID NORTHWEST QUARTER, MEASURED AT RIGHT ANGLES TO THE NORTHERLY LINE THEREOF.

STRIP NO. 3; CORNER CUT-OFF:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID STRIP NO. 2 WITH THE EAST LINE OF SAID STRIP NO. 1;

THENCE SOUTHERLY 17.00 FEET ALONG SAID EAST LINE;

THENCE NORTHEASTERLY IN A DIRECT LINE TO A POINT ON SAID SOUTH LINE, DISTANT EAST THEREON, 17.00 FEET FROM THE POINT OF BEGINNING OF THIS STRIP;

THENCE WESTERLY ALONG SAID SOUTH LINE 17.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION.

DESCRIBED PARCEL CONTAINS 21.35 ACRES MORE OR LESS.



City of Santa Fe Springs

11710 Telegraph Road • CA • 90670-3679 • (562) 868-0511 • Fax (562) 868-7112 • www.santafesprings.org

March 12, 2002

Sares Regis Group
Attn: Peter Rooney
18802 Bardeen Avenue
Irvine, CA 92612-1521

RE: Development Plan Approval Case No. 737-739

Dear Mr. Rooney:

The Planning Commission, at their regular meeting of March 11, 2002, acted on your request for approval of development plans to allow the construction of three concrete tilt-up industrial buildings totaling approximately 455,783 sq ft in area on a 21.32-acre property located on the southeast corner of Bloomfield Avenue and Lakeland Road in the M-2, Heavy Manufacturing, Zone within the Consolidated Redevelopment Project.

The Planning Commission subsequently approved your request for Development Plan Approval for the proposed industrial buildings and related improvements subject to the following list of conditions:

SUGGESTED CONDITIONS OF APPROVAL

1. The owner/developer shall construct a meandering sidewalk within a dedicated easement along Bloomfield Avenue frontage.
2. The owner/developer shall comply with Congestion Management Program (CMP) requirements and provide mitigation of trips generated by the development. The owner/developer will receive credit for demolition of any buildings which formerly occupied the site.
3. Existing public fire hydrants shall be upgraded, if required by the City Engineer.

EXHIBIT B-1

Louie González, Mayor • Ronald S. Kernes, Mayor Pro-Tempore
City Council
George Minnehan • Betty Putnam • Gustavo R. Velasco
City Manager
Frederick W. Latham

4. Adequate "on-site" parking shall be provided per City requirements, and streets shall be posted "No Stopping Any Time." The cost of sign installation shall be paid by the owner/developer.
5. The owner/developer shall provide \$50,000 to the City to mitigate traffic impacts from this development to the Bloomfield Avenue intersections at Telegraph Road, Florence Avenue and Lakeland Road.
6. The landscape irrigation system shall be connected to a reclaimed water distribution system when available in the street. Separate meter(s) shall be installed for landscape irrigation systems. Owner/Developer shall provide funds to design and construct a 6" reclaimed water distribution pipeline along frontage of development.
7. Point of access to each parcel shall be approved by the City Engineer. Owner/developer shall be responsible for the cost of the design and construction of raised landscaped medians adjacent to the property on Bloomfield Avenue, as approved by the City Engineer.
8. Sanitary sewers shall be constructed in accordance with City specifications to serve subject development. The plans for the sanitary sewers shall be approved by the City Engineer. A sewer study shall be submitted along with the sanitary sewer plans.
9. The owner/developer shall comply with all requirements of the Department of County Engineer-Facilities, make application for and pay the sewer maintenance fee.
10. No common driveways shall be allowed unless approved by the City Engineer. If proposed driveways conflict with existing fire hydrants, street lights, water meters, etc., owner/developer shall pay for relocation.
11. Owner/developer's general contractor shall implement storm water and urban runoff pollution prevention controls and Best Management Practices (BMP's) on construction sites in accordance with Chapter 52, Storm Water Runoff, of the City Code (Ordinance 851). The contractor may also be required to file a Notice of Intent (NOI) with the Regional Water Quality Control Board and prepare a Storm Water Pollution Prevention Plan (SWPPP) as specified in the State of California General Permit for Storm Water Discharges associated with the construction activities in accordance with the NPDES mandate to protect receiving waters and storm drains from construction activity, related erosion and pollution. A copy of the September 8, 1992 instructions and NOI form are available from the

Public Works Department. In addition, this project shall conform to Ordinance 915, which amends Chapter 52 "Stormwater/Urban Runoff" of the City Code and implements the requirements of the approved Standard Urban Stormwater Mitigation Plan ("SUSMP"). The SUSMP includes a requirement to implement Post Construction BMP's to mitigate (infiltrate or treat) the first 3/4" of runoff from all storm events and to control peak flow discharges.

12. Planning and Development and Public Works Departments shall approve the location of double-check valves. All sprinkler plans shall have a stamp of approval from Planning and Development prior to Fire Department submittal. Disinfection, pressure and bacteriological testing on the line between the street and detector assembly shall be performed in the presence of City Water Department. The valve on water main line shall be operated only by the City upon approval of test results.
13. All projects over \$50,000 are subject to the requirements of Ordinance No. 914 to reuse or recycle 75% of the project construction waste per approval of the Department of Planning and Development.
14. The Owner/Developer shall comply with the City's "Heritage Artwork in Public Places Program" in conformance with City Ordinance No. 755.
15. The owner/developer shall comply with the requirements of Ordinance 829 with respect to Oil and Gas Regulations.
16. Prior to issuance of building permits, the applicant shall comply with the following environmental assessment conditions to the satisfaction of the City of Santa Fe Springs:
 - A. Environmental Audit. Recognizing that NFA letters have been issued by both the DTSC and RWQCB and a large volume of site assessment work has already been performed, only limited additional assessment work will be required. This additional assessment shall focus on properly closing the six (6) UST's that were previously removed but not closed. A Soil Management Plan for mitigating contamination in excess of City standards must be submitted and approved by the Fire Department.
 - B. Permits and Approval. Owner/developer shall, at its own expense, secure or cause to be secured any and all permits which may be required by the City in furtherance of complying with Paragraph 16 (A) set forth herein. Permits shall be secured prior to beginning work related to the permitted activity.

C. Covenants.

1. Owner/developer shall provide a written covenant to the Planning Commission that, except as revealed in previous studies as part of DTSC and RWQCB NFA certification and except as applicant may have otherwise disclosed to the City, Commission, Planning Commission or their employees, in writing, applicant has investigated the environmental condition of the property and does not know or have reasonable cause to believe that (a) any crude oil, hazardous substances or hazardous wastes, as defined in state and federal law, have been released, as that term is defined in 42 U.S.C. Section 9601 (22), on, under or about the Property, or that (b) any material has been discharged on, under or about the Property that could affect the quality of ground or surface water on the Property within the meaning of the California Porter-Cologne Water Quality Act, as amended, Water Code Section 13000, et seq.
2. Owner/developer shall provide a written covenant to the City that, based on reasonable investigation and inquiry, to the best of owner/developer's knowledge, it does not know or have reasonable cause to believe that it is in violation of any notification, remediation or other requirements of any federal, state or local agency having jurisdiction concerning the environmental conditions of the Property.
3. Owner/developer understands and agrees that it is the responsibility of the applicant to investigate and remedy, pursuant to applicable federal, state and local law, any and all contamination on or under any land or structure affected by this approval and issuance of related building permits. The City, Commission, Planning Commission or their employees, by this approval and by issuing related building permits, in no way warrants that said land or structures are free from contamination or health hazards.
4. Owner/developer understands and agrees that any representations, actions or approvals by the City, except to the extent that it acts as the lead environmental agency, Commission, Planning Commission or their employees do not indicate any representation that regulatory permits, approvals or requirements of any other federal, state or local agency have been obtained or satisfied by the applicant and, therefore, the City,

Commission, Planning Commission or their employees do not release or waive any obligations the applicant may have to obtain all necessary regulatory permits and comply with all other federal, state or other local agency regulatory requirements. Applicant, not the City, Commission, Planning Commission or their employees will be responsible for any and all penalties, liabilities, response costs and expenses arising from any failure of the applicant to comply with such regulatory requirements.

17. Owner/Developer agrees to comply with all portions of Cleanup and Abatement Order Nos. 85-18 and 97-118 issued by the Regional Water Quality Control Board (RWQCB) as it relates to this property.
18. Not used.
19. That the owner/developer shall comply with all Federal, State and local requirements and regulations included, but not limited to, the Santa Fe Springs City Municipal Code, Uniform Building Code, Uniform Fire Code, Certified Unified Program Agency (CUPA) programs and all other applicable codes and regulations.
20. That the subject property shall submit an Industrial Wastewater Discharge Permit Application prior to generating, storing, treating or discharging any industrial wastewater to the sanitary sewer.
21. In order to meet the current public health and safety standards relating to emergency response and to provide for safety of responders and the community at large, the owner/developer shall install one (1) Emergency traffic signal control device (Opticom) to aid in the rapid and safe response of emergency vehicles at the intersection of Bloomfield Avenue and Lakeland Road.
22. The owner/developer shall install two 4-inch schedule 80 PVC ducts and appurtenances encased in concrete along the eastside of Bloomfield Avenue from a point 1,300 feet south of Lakeland Road centerline. Said ducts for future fiber optic system shall be placed in locations designed by the City Engineer.
23. The owner/developer, or successors in interest, shall be obligated to pay for a portion of the cost of undergrounding existing overhead utilities on Bloomfield Avenue and Lakeland Road adjacent to the subject property. The owner/developer, or successors in interest, shall satisfy said obligation by paying to the City an amount equal to the fair market value of the property to be acquired from owner/developer, or successors in interest, in fee or in easement, by CalTrans, the BNSF Railroad, or other public or

quasi-public agency, for construction of a grade separation on Lakeland Road at the BNSF railroad crossing. Payment shall be provided per terms of the "Agreement" between the Sares-Regis Goup (owner/developer) and the City.

24. The owner/developer shall remove the existing wall along Bloomfield Avenue at the south end of the property.
25. The owner/developer shall pay to the City the entire costs of design, engineering, installation and inspection of five (5) street lights on Bloomfield Avenue. The City shall design and cause construction of the street lighting system (\$25,000 Estimated Cost). The owner/developer shall also agree to the addition of a cost of living adjustment to the existing Street Light Assessment District. Annual adjustments shall be based on the Consumer Price Index for Los Angeles County.
26. The owner/developer shall enter into an agreement with the City for the City to maintain the south half of Lakeland Road between Bloomfield Avenue and the easterly property line at the BNSF right-of-way and the east half of Bloomfield Avenue between the southerly property line and Lakeland Road. Maintenance may include slurry seal every five years, resurfacing approximately every ten years and reconstruction at the end of twenty years, if needed, as determined by the City Engineer as reasonably related to the condition of the individual roadway. This condition may be satisfied by the creation of assessment districts, Mello-Roos Districts or other methods of financing approved by the City pursuant to the Agreement. or eliminated in any areas constructed with Portland Cement Concrete (PCC) pavement. (\$27,000 Estimated Annual Cost)
- 26a. The owner/developer shall pay \$96,500 for past and immediate resurfacing of the Lakeland Road and the Bloomfield Avenue frontage to the street centerline, the funding of which shall be provided per terms of the Agreement.
27. The developer shall pay to the City one-fourth (1/4) of any and all costs to construct a Portland cement concrete street intersection at Bloomfield Avenue and Lakeland Road.
28. Owner/developer may defer completion of satisfaction of Conditions 5, 6, 7, 14, 21, 22, 25, 26, 26a .and 27, as numbered above, contingent on owner/developer entering into an agreement with the City regarding such performance. Entry into such agreement shall be a condition precedent to the issuance of any necessary permits (e.g., building permits) or other approvals (e.g., parcel map) for development of the subject property. Such agreement shall: (a) require developer

to provide adequate security for such performance in a form approved by the City, which approval will not be unreasonably withheld; (b) provide for interest, at a market rate, on developer's financial obligations to the City; (c) provide for completion of performance or repayment within seven (7) years of the date of approval hereof unless otherwise approved by the City; and (d) provide for the potential, with the City's approval, of incorporating work into street maintenance, landscaping or lighting districts.

29. A grading plan shall be submitted for drainage approval by the City Engineer. The site is subject to storm water retention, and the drainage plan shall incorporate retention on site. The owner/developer shall pay drainage review fees in conjunction with this submittal. The hydrology study to be conducted shall evaluate the amount and disposition of storm water on the subject property. The hydrology study shall be conducted by a Professional Engineer and subject to the approval of the City Engineer. The grading plan shall also accommodate the existing drainage from the railroad right-of-way at southeast portion of property.
30. The owner/developer shall pay to the City a one-time cost (not to exceed \$2,500) for the replacement of street name signs, traffic control signs, raised pavement markers and pavement markings, as required by the City Engineer.
31. Land and access rights shall be reserved for a future grade separation on Lakeland Road between Bloomfield Avenue and the BNSF Railroad. Sufficient right-of-way includes: construction easement, utilities easement and slope easement along Lakeland Road frontage and railroad shoofly along portion of east property line. Project design shall accommodate the future grade separation. No permanent structure shall be placed within the reservation area.
32. All buildings shall be protected by an approved automatic sprinkler system.
33. All buildings that are to be used for high-piled storage shall be equipped with required access doors as per Article 81 of the Uniform Fire Code.
34. Interior gates or fences are not permitted across required fire access roadways.
35. On-site fire hydrants must be provided along required Fire Department access roads. Minimum flow shall be 2500 GPM.

36. The minimum width of required Fire Department access roadways shall be not less than twenty-six (26) feet. Internal driveways shall have a turning radius of not less than fifty-two (52) feet.
37. Prior to submitting plans to the Building Department or Planning Commission, a preliminary site plan shall be approved by the Fire Department for required access roadways and on-site fire hydrant locations. Plan must be between 20 and 40 scale. Include on plan all entrance gates that will be installed.
38. Knox boxes are required on all new construction. All entrance gates shall also be equipped with Knox boxes.
39. That an "Owners' Association" or a Community Association shall be created with CC&R's stipulating maintenance requirements for landscape maintenance, including the pedestrian walkways, if the property is subdivided. Levels of maintenance shall be to the highest of standards as required by the City, and all maintenance costs shall be borne by the Association.
40. That the applicant shall submit for approval a detailed Xeriscape landscape and irrigation system for the on-site and parkway landscape areas for the development design pursuant to the Landscape Design Guidelines of the City. Said landscape plan shall indicate the location and type of all plant materials to be used.
41. That no portion of the required off-street parking and loading areas shall be used for outdoor storage, manufacturing or similar uses at any time, unless approved by the Director of Planning and Development.
42. That all fences, walls, signs and similar improvements for the proposed development shall be subject to the approval of the Director of Planning and Development.
43. That a sufficient number of approved outdoor trash enclosures shall be provided for the development subject to the approval of the Director of Planning and Development.
44. That a security and lighting plan for the proposed industrial development shall be submitted to the Department of Police Services for review and approval.
45. That all truck yard areas shall be screened from the public streets in the area by a decorative screen wall subject to the approval of the Director of Planning and Development.

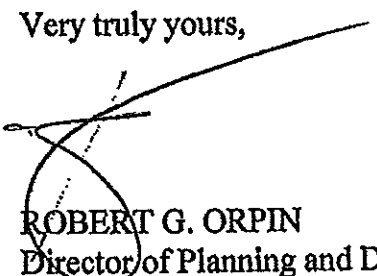
46. The applicant understands that other than indicated within these conditions, the applicant shall comply with the requirements of the City's Zoning Ordinance, Building Code, Property Maintenance Ordinance, Fire Code and all other applicable regulations as pertain to this property.
47. That Development Plan Approval Case No. 737-739 shall not be valid until approved by the Community Development Commission and shall be subject to any other conditions the Board deems necessary to impose.
48. That Development Plan Approval Case No. 737-739 shall not be effective for any purpose until the applicant has filed with the City of Santa Fe Springs an affidavit stating he is aware of and accepts all the conditions of this approval.

Your attention is called to the fact that this approval is not effective until an affidavit has been signed and notarized to indicate your willingness to accept and abide by the conditions of approval. **Two copies of an affidavit are enclosed for this purpose. One copy should be returned to this office upon completion; the other copy is for your files.**

The Zoning Ordinance sets forth an appeal period of four (14) days, beginning with the date you receive this letter, during which any party aggrieved by the Commission's action can appeal the matter to the City Council. You are hereby notified that the time within which judicial review must be sought is governed by the provisions of California Code of Civil Procedure, Section 1094.6.

If you have any questions regarding this matter, please feel free to call me at (562) 868-0511, Ext. 211.

Very truly yours,



ROBERT G. ORPIN
Director of Planning and Development

EXHIBIT B-9

cc: City Council
Frederick W. Latham, City Manager
Marina Sueiro, Director of Intergovernmental Relations
Building Division
Fire Department
Property Maintenance Officer
Sue Janikowski, Assistant Planner
Monica Mendoza, Planning Intern

EXHIBIT B-10

**ACCEPTANCE OF CONDITIONS
IN DEVELOPMENT PLAN APPROVAL CASE**

AFFIDAVIT

I Dwight L. Merriman, HEREBY STATE THAT I am the owner, or the authorized agent of the owner, of property involved in Development Plan Approval Case No. 737-739.

I FURTHER STATE THAT I have read, understand and accept, and will comply with all the conditions of approval established by the Planning Commission at its meeting of March 14, 2002.

I AM ALSO AWARE THAT if any of the provisions of this approval are violated or held to be invalid, or any law, statute or ordinance is violated, the Permit shall be void and the privileges granted thereunder shall lapse.

signature

title (if any)

company name (if any)

mailing address

city, state, zip

phone

Principal

RREEF America L.L.C. (c/o Bloomfield Partners L.L.C.)

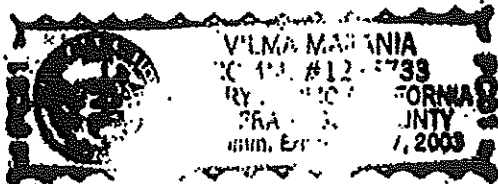
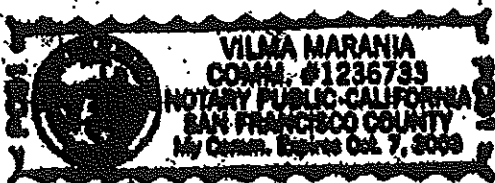
101 California Street, 26th Floor

San Francisco, CA 94111

(415) 781-3300

STATE OF CALIFORNIA)
COUNTY OF San Francisco) SS.

On May 13, 2002 before me, Vilma Marania, Notary Public,
personally appeared Dwight L. Merriman
Name(s) of Signer(s)



- ☒ personally known to me
☐ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument,

WITNESS my hand and official seal.

Vilma Marania
Notary Public

EXHIBIT B-11

EXHIBIT B

FORM OF BALLOT

**City of Santa Fe Springs
Community Facilities District No. 2002-1
(Bloomfield-Lakeland)**

This ballot is for a special, landowner election in the City of Santa Fe Springs Community Facilities District No. 2002-1 (Bloomfield-Lakeland). You must return this ballot in the enclosed postage paid envelope to the office of the City Clerk of the City by no later than the hour of 5:00 p.m. on July 14, 2011, either by mail or in person. The City Clerk's office is located at City Hall, 11710 East Telegraph Road, Santa Fe Springs, California 90670.

To vote, mark a cross (X) on the voting line after the word "YES" or after the word "NO." All marks otherwise made are forbidden. All distinguishing marks are forbidden and make the ballot void.

If you wrongly mark, tear, or deface this ballot, return it to the City Clerk and obtain another.

BALLOT MEASURE: Shall the Rate and Method of Apportionment of Special Tax for the City of Santa Fe Springs Community Facilities District No. 2002-1 (Bloomfield-Florence) be amended and restated as set forth in the form of Amended and Restated Rate and Method of Apportionment of Special Tax attached as Exhibit "A" to the "Resolution Calling Special Election to Amend and Restate the Rate and Method of Apportionment of Special Tax" adopted by the City Council of the City of Santa Fe Springs on April 14, 2011, which Amended and Restated Rate and Method of Apportionment of Special Tax I have read and understand?

YES: _____

NO: _____

Assessor's Parcel Number: _____

Acreage: _____

Number of Votes: _____

The Property Owner is:

By: _____

Name: _____

Title: _____



City of Santa Fe Springs

City Council Meeting

April 14, 2011

PUBLIC HEARING - RESOLUTION NO. 9313

Approval of Resolution No. 9313 Calling for Special Election to Amend and Restate the Rate and Method of Apportionment of Special Tax Under City of Santa Fe Springs Community Facilities District No. 2004-1

RECOMMENDATIONS

1. That the Mayor open the Public Hearing and hear from anyone wishing to speak on this matter;
2. That, if the proposed amendment and restatement of the Rate and method of Apportionment of Special Tax under Community Facilities District No. 2004-1 is not opposed by more than 50% of the owners of land within the CFD, the City Council adopt Resolution No. 9313 Calling for Special Election to Amend and Restate the Rate and Method of Apportionment of Special Tax under Community Facilities District FD No. 2004-1.

BACKGROUND

On March 10, 2011 the City Council adopted Resolution No. 9307, a Resolution of Consideration to Amend and Restate the Rate and Method of Apportionment of Special Tax under Community Facilities District No. 2004-1. Pursuant to this action, the City Council approved the proposed amended and restated Rate and Method (attached as Exhibit A), and set a Public Hearing for April 14, 2011 on the question of amending and restating the Rate and Method.

Following City Council approval of the proposed amended and restated Rate and Method, staff communication with the County of Los Angeles as one of the property owners has prompted staff to recommend revision to Section G (³Exemptions²) to the Amended and Restated Rate and Method to clarify that taxable property owned by the County in the CFD would remain subject to the special tax following these change proceedings.

If the proposed amendment and restatement of the Rate and Method is not opposed by more than 50% of the owners of land within the CFD, California Government Code Section 53338 authorizes holding of a special election of the qualified electors (defined as landowners) in the CFD on the issue of amending and restating the Rate and Method.



City of Santa Fe Springs

City Council Meeting

April 14, 2011

Resolution No. 9313 (attached) sets forth the conditions of the special election in accordance with Section 53338, including the ballot form (attached as Exhibit B), the ballot submittal deadline of 5:00 p.m. on July 14, 2011, and the election date of July 14, 2011 at 6:00 p.m. or as soon thereafter as practicable. The City Clerk is designated as the official to conduct said election and to receive all ballots. The election shall be conducted by messenger or mail-delivered ballot under the direction of the City Clerk. Each ballot will be accompanied by all supplies and written instructions necessary for the use and return of the ballot.

The City Council formed Community Facilities District (CFD) No. 2004-1 pursuant to the Mello- Roos Community Facilities Act of 1982, as amended. The purpose of CFD 2004-1 is to repay a loan made by the Community Development Commission to Saris-Regis, the developer of adjacent industrial parks on Bloomfield, Lakeland and Florence. The loan was used by the developer to complete certain required public infrastructure improvements needed to support the development and was to be repaid over a 15 year period through the establishment of the CFD special tax on the properties within the development. The loan was recorded as a lien on the title to each affected parcel within the development. The 2004-1 CFD is comprised of eight parcels that will repay a \$700,000 loan with a 5.75% interest rate.

Fiscal Impact

No portion of the loan would be forgiven as result of this action; only the duration of the tax to pay back the loan would be modified. The outcome of this action would be to revise the 15-year tax duration beginning with the 2011 property tax bill.

Infrastructure Impact

The loans were used to complete certain required infrastructure improvements needed to support the developments and will be repaid through the establishment of the CFD special tax on the properties within the development.

Thaddeus McCormack
City Manager

Attachments

Resolution No. 9313-Resolution Calling Special Election to Amend and Restate the Rate and Method of Apportionment of Special Tax for CFD No. 2004-1.

Exhibit A: The Amended and Restated Rate and Method of Apportionment

Exhibit B: Form of Ballot

RESOLUTION NO. 9313

**RESOLUTION CALLING SPECIAL ELECTION TO AMEND AND RESTATE THE RATE AND
METHOD OF APPORTIONMENT OF SPECIAL TAX**

**City of Santa Fe Springs
Community Facilities District No. 2004-1
(Bloomfield-Florence)**

RESOLVED, by the City Council (the "Council") of the City of Santa Fe Springs (the "City"), State of California, that:

WHEREAS, the City Council of the City has conducted proceedings under and pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, Chapter 2.5 of Part 1 of Division 2 of Title 5 (commencing with Section 53311) of the California Government Code (the "Act"), to form City of Santa Fe Springs Community Facilities District No. 2004-1 (Bloomfield-Florence) (the "CFD"), to authorize the levy of a special tax (the "Special Tax") upon the land within the CFD to finance certain public services, all as described in those proceedings; and

WHEREAS, the Rate and Method of Apportionment of Special Tax for the CFD (the "Rate and Method"), was attached as Exhibit B to the City Council's Resolution No. 7026 adopted by the City Council on October 28, 2004; and

WHEREAS, the City has been asked by the owners of the property in the CFD to amend the Rate and Method to extend the period of time in which the Special Tax will be levied and, as a result, reduce the annual amount of the Special Tax, and the City Council has found that the public convenience and necessity require the proposed amendment of the Rate and Method; and

WHEREAS, on March 10, 2011, the City Council adopted a "Resolution of Consideration to Amend and Restate the Rate and Method of Apportionment of Special Tax" (the "Resolution of Consideration"), pursuant to which the City Council (i) approved the proposed amended and restated Rate and Method (the "Amended and Restated Rate and Method") in the form attached as Exhibit A to the Resolution of Consideration and (ii) set a public hearing for April 14, 2011 on the question of amending and restating the Rate and Method; and

WHEREAS, in its staff report preceding the opening of the public hearing, City staff recommended a revision to Section G ("Exemptions") to the Amended and Restated Rate and Method to clarify that taxable property owned by the County in the CFD would remain subject to the special tax following these change proceedings; and

WHEREAS, the public hearing was held on this date and the proposed amendment and restatement of the Rate and Method were not opposed by more than 50% of the owners of land within the CFD; and

WHEREAS, Government Code Section 53338 authorizes the holding of a special election of the qualified electors in the CFD on the issue of amending and restating the Rate and Method.

NOW, THEREFORE, IT IS ORDERED as:

1. The Amended and Restated Rate and Method is approved in the form attached hereto as Exhibit "A" and this reference incorporated herein.

2. As authorized by Section 53338 of the Act, the proposition to approve the Amended and Restated Rate and Method shall be placed upon a ballot, the form of which is attached hereto as Exhibit "B" and by this reference incorporated herein. Said form of the ballot is hereby approved.

3. This City Council hereby finds that fewer than 12 persons have been registered to vote within the CFD for each of the 90 days preceding the close of the public hearing heretofore conducted and concluded by this City Council for the purposes of these proceedings. Accordingly, and pursuant to the Act, this City Council finds that for purposes of these proceedings the qualified electors are the landowners within the CFD and that the vote shall be by said landowners or their authorized representatives, each having one vote for each acre or portion thereof such landowner owns in the CFD as of the close of the public hearing.

4. This City Council hereby calls a special election to consider the measures described in paragraph 1 above, which election shall be held on July 14, 2011, at 6:00 P.M. or as soon thereafter as is practicable, and the results thereof canvassed at the meeting of this City Council on July 14, 2011 or a later date as may be directed by the Council. This date is at least 90 days, but not more than 180 days, following adoption of this Resolution. The City Clerk is hereby designated as the official to conduct said election and to receive all ballots until the close of business on the election date.

This City Council also finds and determines that the City Clerk has concurred in the holding of the election less than 125 days following adoption of this Resolution.

5. It is hereby acknowledged that the City Clerk has on file the Resolution of Consideration, a certified map of the boundaries of the CFD, and a sufficient description to allow the City Clerk to determine the qualified electors of the CFD. Pursuant to Section 53327 of the Act, the election shall be conducted by messenger or mail-delivered ballot pursuant to Section 4000 of the California Elections Code. This City Council hereby finds that paragraphs (a), (b) and (c)(2) of Section 4000 and Section 4108 are applicable to this special election, except that Section 53326 and 53327 of the Act shall govern for purposes of determining the date of the election.

6. The City Clerk is instructed to transmit the ballot measure to the City Attorney along with a request that an impartial analysis be prepared for inclusion in the Voters Information Pamphlet.

7. Arguments for and against the measure may be submitted to the City Clerk, 11710 East Telegraph Road, Santa Fe Springs, California 90670, until 5:00 p.m. on April 28, 2011. Rebuttals will be permitted and must be submitted to the City Clerk's office by 5:00 p.m. on May 8, 2011.

8. This City Council acknowledges that the City Clerk will cause to be delivered to each of the qualified electors within the CFD a ballot in the form set forth in Exhibit "A." Each ballot shall indicate the number of votes to be cast by the respective landowner to which it pertains.

Each ballot will be accompanied by all supplies and written instructions necessary for the use and return of the ballot. The envelope to be used to return the ballot will be enclosed with the ballot, have the return postage prepaid, and shall contain the following: (a) the name and address of the landowner, (b) a declaration, under penalty of perjury, stating that the voter is the owner of record or authorized representative of the landowner entitled to vote and is the person whose name appears on the envelope, (c) the printed name, signature and address of the voter, (d) the date of signing and place of execution of the declaration pursuant to clause (b) above, and (e) a notice that the envelope contains an official ballot and is to be opened only by the canvassing official.

9. The voted ballots shall be returned to the City Clerk no later than 5:00 P.M. on July 14, 2011. The City Clerk shall accept the ballots of the qualified electors in the meeting room of the City Council, whether said ballots be personally delivered or received by mail. The City Clerk shall have available ballots which may be marked at said location on the election day by said qualified electors.

10. This Resolution shall take effect upon its adoption.

* * * * *

PASSED AND ADOPTED at the regular meeting of the City Council of the City of Santa Fe Springs, State of California, on this 14th day of April, 2011 by the following vote to wit:

AYES:

NOES:

ABSENT:

By: _____
Mayor

ATTEST:

City Clerk

EXHIBIT "A"

AMENDED AND RESTATED RATE AND METHOD OF APPORTIONMENT FOR CITY OF SANTA FE SPRINGS COMMUNITY FACILITIES DISTRICT NO. 2004-1 (Bloomfield-Florence)

This Amended and Restated Rate and Method of Apportionment of Special Tax amends and restates in its entirety that certain Rate and Method of Apportionment of Special Tax (the "Original Rate and Method"). The Original Rate and Method was attached as Exhibit B to the Notice of Special Tax Lien for City of Santa Fe Springs Community Facilities District No. 2004-1 (Bloomfield-Florence) ("CFD No. 2004-1"), which was recorded in the real property records of the County of Los Angeles on November 3, 2004, as Document No. 04-2853634.

The Special Taxes as hereinafter defined shall be levied on all Assessor's Parcels in CFD No. 2004-1 and collected each fiscal year commencing in Fiscal Year 2011-12, in the amounts determined as described below. All of the real property in CFD No. 2004-1, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Division 2 of Title 5 of the Government Code of the State of California.

"Administrative Expenses" means the following actual or reasonably estimated costs directly related to the administration of CFD No. 2004-1: the costs of computing the Special Taxes and preparing the annual Special Tax collection schedules (whether by the City or designee thereof or both); the costs of collecting the Special Taxes (whether by the City or otherwise); the costs to the City, CFD No. 2004-1 or any designee thereof of complying with disclosure requirements of the City, CFD No. 2004-1 or obligated persons associated with applicable federal and state securities laws and the Act; the costs associated with preparing Special Tax disclosure statements and responding to public inquiries regarding the Special Taxes; the costs of the City, CFD No. 2004-1 or any designee thereof related to any appeal of the Special Tax; and the City's annual administration fees and third party expenses. Administrative Expenses shall also include amounts estimated by the CFD Administrator or advanced by the City or CFD No. 2004-1 for any other administrative purposes of CFD No. 2004-1, including attorney's fees and other costs related to commencing and pursuing to completion any foreclosure of delinquent Special Taxes. The maximum amount for the Administrative Expenses is set at \$6,500 for Fiscal Year 2011-12; the maximum amount for subsequent Fiscal Years shall be equal to (i) the maximum amount for the Administrative Expenses for the previous year plus (ii) the product of multiplying (A) the maximum amount for the Administrative Expenses for the previous year times (B) the annual percentage change (if positive) in CPI for the preceding year ending in March.

"Annual Debt Service" means the annual amount of principal and interest required to satisfy the \$700,000 loan amount set forth in the Reimbursement Agreement, over a 15 year period

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commencing Fiscal Year 2011-12 (assuming no delinquencies) at an interest rate of 5.75%, assuming level payments.

"Assessor's Parcel" means a parcel shown in an Assessor's Parcel Map with an assigned Assessor's parcel number.

"Assessor's Parcel Map" means an official map of the Assessor of the County of Los Angeles designating parcels by Assessor's Parcel number.

"Building Square Footage" means the building area as shown on the building permit.

"CFD Administrator" means the person or firm that the City chooses to make responsible for determining the Special Tax Requirement and providing for the levy and collection of the Special Taxes.

"CFD No. 2004-1" means City of Santa Fe Springs Community Facilities District No. 2004-1 (Bloomfield-Lakeland).

"City" means the City of Santa Fe Springs.

"City Council" means the City Council of the City of Santa Fe Springs, acting as the legislative body of CFD No. 2004-1.

"County" means the County of Los Angeles.

"CPI" means the Consumer Price Index for All Urban Consumers, for the Los Angeles, Riverside and Orange County areas, published by the U.S. Department of Labor, Bureau of Labor Statistics, or, if such index is no longer published, a reasonably equivalent index selected by the CFD Administrator.

"Exempt Property" means all Assessor's Parcels not subject to the Special Tax for Payment Amount as described under Section G.

"Fiscal Year" means the period starting July 1 and ending on the following June 30.

"Maximum Special Tax for Payment Amount" means the maximum Special Tax for Payment Amount, determined in accordance with Section C below that can be levied in any Fiscal Year on any Assessor's Parcel.

"Parcel" means Assessor's Parcel.

"Reimbursement Agreement" means that certain Reimbursement Agreement, dated as of September 23, 2004, by and between the City and Bloomfield Partners II, LLC, which Reimbursement Agreement is attached as Exhibit A.

"Proportionately" means for Taxable Property, in any Fiscal Year, that the ratio of the actual Special Tax levy to the Maximum Special Tax is equal for all Assessor's Parcels of Taxable Property.

"Public Property" means any Assessor's Parcel within the boundaries of CFD No. 2004-1 that is transferred to a public agency or public utility on or after the date of formation of CFD No. 2004-1 and is used for rights-of-way, or any other purpose and is owned by, dedicated or irrevocably offered for dedication to the federal government, the State of California, the County,

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the City, a public utility or any other public agency; provided however that any property leased by a public agency to a private entity and subject to taxation under Section 53340.1 of the Act shall be taxed and classified in accordance with its use. Privately-owned property that is otherwise constrained by public or utility easements making impractical its utilization for other than the purposes set forth in the easement shall be considered Public Property.

"Special Tax for Payment Amount" means the special tax to be levied in each Fiscal Year on each Assessor's Parcel of Taxable Property to fund the Special Tax for Payment Amount Requirement.

"Special Tax for Payment Amount Requirement" means that amount required in any Fiscal Year for CFD No. 2004-1 equal to the Annual Debt Service and the maximum amount of Administrative Expenses.

"Special Taxes" means, collectively, the Special Tax for Payment Amount and the Special Tax for Maintenance.

"State" means the State of California.

"Taxable Property" means all of the Assessor's Parcels within the boundaries of CFD No. 2004-1 which are not Exempt Property.

B. CLASSIFICATION OF PROPERTIES

All Assessor's Parcels shall be classified as Taxable Property or Exempt Property.

Once classified as Taxable Property, a parcel may not be subsequently re-classified or changed to Exempt Property without the Special Tax for Payment Amount being paid off in full in accordance with Section E.

C. SPECIAL TAX FOR PAYMENT AMOUNT RATE

Maximum Special Tax for Payment Amount

The Maximum Special Tax for Payment Amount for Assessor's Parcels of Taxable Property shall be calculated for each Fiscal Year as follows:

First: the City shall add the Annual Debt Service plus Administrative Expenses for the Fiscal Year.

Second, the amount calculated in First shall be apportioned to all parcels of Taxable Property Proportionately based on the amount of Building Square Footage.

D. MANNER OF COLLECTION OF SPECIAL TAXES

The Special Taxes shall be collected in the same manner and at the same time as ordinary *ad valorem* property taxes; provided, however, that CFD No. 2004-1 may directly bill the Special Taxes, may collect Special Taxes at a different time or in a different manner if necessary to meet its financial obligations, and may covenant to foreclose and may actually foreclose on delinquent Assessor's Parcels as permitted by the Act.

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E. PREPAYMENT OF SPECIAL TAX FOR PAYMENT AMOUNT

The Special Tax for Payment Amount may be prepaid, in whole or in part, at any time.

F. TERM OF SPECIAL TAX FOR PAYMENT AMOUNT

The Special Tax for Payment Amount shall be levied on Taxable Property for a period not to exceed 15 years; provided, however, that the Special Tax for Payment Amount may be levied for a longer period of time if, as a result of delinquencies in the payment of the Special Tax for Payment Amount, it has not collected an amount sufficient to pay the Payment Sum (as defined in the Reimbursement Agreement).

G. EXEMPTIONS

The CFD Administrator shall classify Assessor's Parcels of Public Property as Exempt Property.

Tax-exempt status will be assigned by the CFD Administrator in the chronological order in which Assessor's Parcels become Public Property. However, should an Assessor's Parcel no longer be classified as Public Property, its tax exempt status will be revoked.

At the time CFD No. 2004-1 was originally formed, Assessor's Parcel number 8011-016-903 was not then a publicly owned property. Therefore, in accordance with Section B, this property continues to be considered Taxable Property.

H. ENFORCEMENT

If not paid when due, the City shall have the right to foreclose any delinquent Special Tax for Payment Amount by appropriate action in a court of competent jurisdiction, such action to include all court costs, attorney fees and costs of sale.

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EXHIBIT A

REIMBURSEMENT AGREEMENT

REIMBURSEMENT AGREEMENT

This Agreement is made and entered into as of September 23, 2004, by and between the City of Santa Fe Springs ("City"), the Community Development Commission of the City of Santa Fe Springs ("CDC") and Bloomfield Partners II, LLC, a Delaware limited liability company ("Developer").

RECITALS:

A. Developer intends to develop that certain real property located in City, legally described in Exhibit "A" attached hereto (the "Property").

B. On February 23, 2004, City's Planning Commission granted Development Plan Approval No. 778-785 (the "DPA") for Developer's proposed development of the Property (the "Project"); on February 26, 2004, CDC also approved the DPA. A copy of the DPA is attached hereto as Exhibit "B", and is incorporated by reference as though fully set forth herein.

C. The DPA requires that the parties enter into this Agreement.

D. Developer intends to subdivide the Property into eight (8) separate legal parcels.

Based on the Recitals set forth above and the mutual promises set forth below, the parties agree as follows:

1. City shall pay for and contract for the construction of the following items of public infrastructure pertaining to the Project: (a) the new traffic signal to be located at the intersection of Bloomfield Avenue and the new cul-de-sac street (Corral Place) to be constructed to lead into the Property; and (b) the reclaimed water line to be located beneath Bloomfield Avenue (both set forth in DPA Condition No. 30).

2. CDC shall loan to Developer an amount not to exceed \$700,000 (the "Loan"), to be used by Developer to pay for the construction of the following items of public infrastructure and related costs pertaining to the Project: (a) a public cul-de-sac street (DPA Condition No. 2); (b) the resurfacing of portions of the streets adjacent to the Project (DPA Condition No. 5); (c) a sidewalk on Bloomfield Avenue (DPA Condition No. 6); (d) street sign replacements (DPA Condition Nos. 11 and 12—to be performed by City and reimbursed by Developer); (e) re-striping required by traffic study (DPA Condition No. 13); (f) storm drain costs (DPA Condition No. 20); (g) demolition of existing improvements to make way for new public improvements; (h) landscaping within public right-of-way along Bloomfield, Lakeland and Florence; (i) costs associated with the mitigation of environmental impacts; (j) costs for public storm drain facilities; (k) any other public improvements deemed appropriate by mutual agreement of the parties; (l) all permits, fees, soft costs or other costs associated with the public infrastructure, including City art fees; and (m) interest accruing from the date of funding until the date of issuance of the last of the eight building permits.

3. The loan shall bear simple interest at an annual rate of 5.75%. Principal and interest shall be paid on a 15-year, fully amortized schedule with interest accruing from the date of the loan. Funding of the loan from CDC to Developer shall be completed within ten (10) business days of the submission of a written request for such funding from Developer to CDC.

4. It is the intention of the parties that City will form a Community Facilities District ("CFD") comprised entirely of the eight (8) parcels ("Parcels") to be created by Developer's subdivision of the Property, for the purpose of repaying the Loan. The percentage of the special tax on each subdivided parcel shall be based on the relative size of the building to be constructed on each such parcel. The amount of the special tax for each subdivided parcel shall, in combination with the special tax amounts for the other subdivided parcels, be equivalent to the annual payment obligation of the loan and shall, when delivered to the City, constitute the annual payment of the loan. See the proposed CFD Repayment Allocation Schedule attached as Exhibit "C". It is the intention of the parties that Developer pay the cost of forming such CFD.

5. No funds shall be released until after the CFD is formed. Upon formation of the CFD, the City shall record separate special tax liens against each of the Parcels so the tax can appear on the tax roll. Thereafter, payments on the loan shall be made to City semi-annually, through the property tax bills on the Parcels. The first payment shall be due the later of (i) December 2005 or (ii) the first tax payment date on which the special tax lien is reflected on the tax bills of the Parcels.

6. This Agreement shall be assignable and shall run with the land, inure to the benefit of and be binding upon the parties, and all of their successors and assigns.

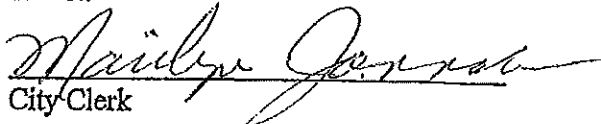
7. This document contains the entire agreement of the parties with respect to the subject matter hereof, and supersedes all prior agreements. No amendment hereto, or waiver of any provision hereof, can be made except in a writing executed by both parties.

Intending to be legally bound, the parties have executed this Agreement, below, as of the date first set forth above.

CITY OF SANTA FE SPRINGS


Mayor

Attest:


City Clerk


COMMUNITY DEVELOPMENT
COMMISSION OF THE CITY OF SANTA FE
SPRINGS


Chairman

Attest:

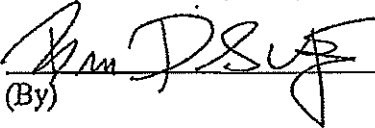

Commission Secretary

Approved as to form.



City/CDC Attorney

BLOOMFIELD II, LLC, a Delaware limited liability company



(By)

Approved as to form.



Attorney for Developer

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

BEING A PORTION OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 3 SOUTH, RANGE 11 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF SANTA FE SPRINGS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, LYING WEST OF THE ATCHISON, TOPEKA AND SANTA FE RAILROAD RIGHT OF WAY, AS RECORDED AS PARCEL MAP NO. 06741 IN BOOK _____, PAGES _____ TO _____.

EXCEPT THEREFROM ANY STREETS OF RECORD.



11710 Telegraph Road • CA • 90670-3679 • (562) 868-0511 • Fax (562) 868-7112 • www.santafesprings.org
February 27, 2004
Re: Development Plan Approval Case No. 778-785
Modification Permit Case No. 1154

Peter Rooney
Sares-Regis Group
18802 Bardeen Avenue
Irvine, California 92612-1521

Dear Mr. Rooney:

The Planning Commission and Community Development Commission, at their respective meetings held February 23, 2004 and February 26, 2004, took action on your request for Development Plan Approval Case Nos. 778-785 to allow the construction of eight (8) concrete, tilt-up industrial buildings totaling approximately 383,177 sq ft and a Modification of Property Development Standards (Modification Permit Case No. 1154) to reserve and not provide a portion of the required number of parking spaces on the 19.51-acre property located on the east side of Bloomfield Avenue between Florence Avenue to the north, Lakeland Road to the south and the Burlington Northern Santa Fe Railroad (BNSF) track to the east, in the M-2, Heavy Manufacturing, Zone within the Consolidated Redevelopment Project Area.

The Planning Commission and Community Development Commission approved your requests subject to the following conditions:

1. The owner and/or developer shall dedicate a street right-of-way easement as required to accommodate construction of a northbound right-turn-only lane on the southeast corner of Bloomfield Avenue and Florence Avenue. Dedication shall be at no cost to the City. The dedicated area shall be kept clear of any permanent structure and shall be landscaped and maintained until such time as the lane is constructed by the City.
2. The owner and/or developer shall construct the new cul-de-sac street in accordance with City requirements and shall dedicate a street right-of-way easement to the City for the new street. All work and dedication is to be done at no cost to the City.

Gustavo R. Velasco, Mayor ¹ Betty Putnam, Mayor Pro-Tempore
City Council
Louie González • Ronald S. Kermes • Joseph D. Serrano, Sr.
City Manager
Frederick W. Latham

Item No.

3. The owner and/or developer shall prepare a Street Improvement Plan for all street improvements to be completed on all street frontages, including new improvements and modifications to existing improvements. This includes the new cul-de-sac street and any changes needed to implement traffic mitigation measures. Said Plan shall be prepared by a Registered Civil Engineer in accordance with City standards and approved by the City Engineer before any street improvements are installed.
4. The owner and/or developer shall install streetlights on the new cul-de-sac in accordance with plans to be prepared by the City and shall reimburse the City for 100% of the actual cost of design, engineering and inspection of the streetlights.
5. The owner and/or developer shall slurry/resurface the Bloomfield Avenue, Lakeland Road and Florence Avenue street frontages to the centerline of each street, excluding intersections and concrete areas, if required, to the satisfaction of the City Engineer.
6. The owner and/or developer shall construct 5-foot-wide meandering sidewalks within a dedicated easement along Bloomfield Avenue.
7. The owner and/or developer shall agree to the addition of a cost-of-living adjustment to the existing Street Light Assessment District. Annual adjustments shall be based on the Consumer Price Index for Los Angeles County.
8. The owner and/or developer shall install all water mains and facilities needed to supply fire, domestic and irrigation water to the site in accordance with City requirements. Minimum water main size is 12-inch diameter. A Water System Plan shall be developed that shows how all systems and buildings will connect to off-site water lines and how all on-site lines serving the site will be located. Water system for the site will need to be supplied through two points of connection to off-site mains. Facilities within dedicated street right-of-way and any on-site facilities to be dedicated to the City must be designed and constructed in accordance with City standards. Said Plan shall be prepared by a Registered Civil Engineer and approved by the Public Works and Fire Departments before any water facilities are installed.
9. The owner and/or developer shall comply with Congestion Management Program (CMP) requirements and provide mitigation of trips generated by the development. The owner and/or developer will receive credit for demolition of any buildings which formerly occupied the site to the extent they generated traffic. If owner and/or developer cannot meet the mitigation requirements, the owner and/or developer shall pay a mitigation fee to be determined by the City Engineer for offsite transportation improvements.

- Place*
10. The owner and/or developer shall agree to participate in a future street maintenance district or other type of benefit assessment district to slurry seal, resurface and reconstruct the street frontage on regular intervals (5-year, 10-year and 20-year intervals, respectively, as determined by the City Engineer). The owner shall retain the right to challenge the costs and method of spreading future assessments.
 11. The owner and/or developer shall reimburse the City for 100% of the actual cost for the installation/replacement of street name signs, traffic control signs and pavement markings. The City will complete the work.
 12. Adequate "on site" parking shall be provided per City requirements, and adjacent public streets, including the new cul-de-sac street, shall be posted "No Stopping Any Time." The City will cause off-site signage to be installed. The cost of sign installation shall be paid by the owner/developer.
 13. A traffic study has been prepared by a Professional Engineer and submitted as required by the City. The traffic study shows the present traffic in the area and projected traffic after the development of the property and includes an analysis of the following intersections: Florence Avenue and Bloomfield Avenue; Florence Avenue and Shoemaker Avenue; Florence Avenue and Norwalk Boulevard; Telegraph Road, Bloomfield Avenue and Santa Fe Springs Road; Telegraph Road and Norwalk Boulevard; Lakeland Road and Norwalk Boulevard; and Florence Avenue and Pioneer Boulevard. Owner and/or developer agree that the improvements and mitigation measures recommended by the study shall be completed to the satisfaction of the City Engineer before the project is occupied.
 14. The owner and/or developer shall agree to modify the southbound left-turn lane on Bloomfield Avenue at the intersection with the proposed cul-de-sac street or implement on-site mitigation measures to limit the number of trucks using the left-turn lane to eliminate the backup of left-turning traffic into the southbound through-lane of Bloomfield Avenue should that situation begin to occur on a regular basis.
 15. The landscape irrigation system shall be connected to the reclaimed water line to be installed by the City. Separate meter(s) shall be installed by owner and/or developer to accommodate connection of irrigation systems to the water line.
 16. Access to the site from existing public streets and any new streets shall be approved by the City Engineer. All points of access must be located, sized and designed to accommodate the volume and type of traffic that will be entering and leaving the site. Access points shall be located so that traffic generated by the development will not adversely affect the flow of traffic on any adjacent City Street.

17. A grading plan shall be submitted for drainage approval by the City Engineer. The owner/developer shall pay drainage review fees in conjunction with this submittal. The grading plan shall be prepared by a professional engineer registered in the State of California.
18. A hydrology study shall be submitted to the City if requested by the City Engineer. The study shall be conducted by a Professional Engineer.
19. A soils report shall be prepared and submitted as directed by the City Engineer.
20. A Storm Drain Plan shall be developed that shows all on-site and off-site drainage facilities. The existing drainage ditch located in the southeast corner of the site shall be replaced with an underground system that is not located under any permanent structure. New easements shall be granted to accommodate the new location of this facility. The storm drain system shall be designed and constructed in accordance with City Standards and requirements. Property owner shall obtain a Storm Drain Connection permit for any connection to the City or County storm drain system. Plan shall be prepared by a Registered Civil Engineer and approved by the City Engineer before any storm drain facilities are installed.
21. The east and south frontages of the development shall be designed to accommodate the future grade separation on Lakeland Road at the BNSF Railroad. Areas needed for temporary or permanent easements shall be kept clear of any permanent structures. Owner shall be entitled to the full use of said easement areas until such time as construction is ready to begin and shall be compensated for said easements by separate agreement prior to the beginning of construction.
22. The owner and/or developer shall install all sewer mains and facilities needed to supply sewer service to the site in accordance with City requirements. A Sewer System Plan shall be developed that shows how all systems and buildings will connect to off-site sewer lines and how all on-site lines serving the site will be located. A sewer study shall be submitted to document how sewer mains have been sized. Facilities within dedicated street right-of-way and any on-site facilities to be dedicated to the City must be designed and constructed in accordance with City standards. Said Plan shall be prepared by a Registered Civil Engineer and approved by the City Engineer before any sewer facilities are installed.
23. The owner and/or developer shall comply with all requirements of, make application to, and pay all fees required by the County Sanitation Districts of Los Angeles County to provide for sewer service to the project site.

24. Upon completion of public improvements constructed by developers, the developer's civil engineer shall submit Mylar record drawings and AutoCAD V.14 drawing files to the office of the City Engineer.
25. Final parcel map checking of \$3,900 plus \$260 per parcel shall be paid to the City. Developer shall comply with Los Angeles County's Digital Subdivision Ordinance (DSO) and submit final maps to the City and County in digital format.
26. No common driveways shall be allowed unless approved by the City Engineer. Proposed driveways shall be located to clear existing fire hydrants, streetlights, water meters, etc.
27. All known abandoned oil wells, pipelines, tanks and related lines, between the existing curb and right-of-way, and within the right-of-way line, excluding the two utility casings in Bloomfield Avenue, and one utility casing in Lakeland Road, and within the areas to be dedicated for the right-turn-only lane, new cul-de-sac street, and meandering sidewalk easement, that hinder construction of improvements within those areas shall be removed unless otherwise approved by the City Engineer.
28. Developer shall comply with the National Pollutant Discharge Elimination System (NPDES) program and shall require the general contractor to implement storm water/urban runoff pollution prevention controls and Best Management Practices (BMP's) on all construction sites in accordance with Chapter 52 of the City Code. The owner/developer will also be required to submit a Certification for the project and may be required to prepare a Storm Water Pollution Prevention Plan (SWPPP). Projects over 5 acres in size will be required to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB). The owner/developer can obtain the current application packet by contacting the SWRCB, Division of Water Quality at (916) 657-1977 or by downloading the forms from their website, at <http://www.swrcb.ca.gov/stormwtr/construction.html>. The project shall also conform to Ordinance 915 regarding the requirements for the submittal of a Standard Urban Storm Water Mitigation Plan ("SUSMP"). The SUSMP includes a requirement to implement Post Construction BMP's to mitigate (infiltrate or treat) the first 3/4" of runoff from all storm events and to control peak-flow discharges. Unless exempted by the Los Angeles Regional Water Quality Control Board, a Covenant and Restriction ensuring the provisions of the approved SWPPP shall also be required.
29. The owner and/or developer shall provide at no cost to the City one Mylar print of the recorded parcel map from the County of Los Angeles Department of Public Works, P.O. Box 1460, Alhambra, CA 91802-1460, Attention: Bill Slenniken (626) 458-5131.

30. An Agreement shall be executed and recorded in the Office of the Los Angeles County Recorder that addresses the obligations of the owner and/or developer and City regarding the following work that is to be completed and paid for by the City:

- Installation of a traffic signal at the intersection of Bloomfield Avenue and the new cul-de-sac street.
- Extension of a reclaimed water line southerly in Bloomfield Avenue from Florence Avenue to a point south of Lakeland Road.

Agreement shall be subject to the approval of the City Attorney and executed by the owner and/or developer before a certificate of occupancy is issued by the City.

31. That an "Owners' Association" or a Community Association shall be created with CC&R's stipulating maintenance requirement for landscaping and all common areas of the development. Level of maintenance shall be to the highest of standards as required by the City, and all maintenance costs shall be borne by the Association. Such CC&R's shall be subject to the approval of the Director of Planning and Development.
32. A Reciprocal Access Easement Agreement covering each parcel of the subject map shall be prepared, executed and recorded in the Office of the Los Angeles County Recorder. Such Agreement and any CC&R's shall be subject to the approval of the City Attorney.
33. That the fire sprinkler plans, which show the proposed double-check valve detector assembly location, shall have a stamp of approval from the Planning Department and Public Works Department prior to the Fire Department's review for approval. Disinfection, pressure and bacteriological testing on the line between the street and detector assembly shall be performed in the presence of personnel from the City Water Department. The valve on the water main line shall be operated only by the City and only upon the City's approval of the test results.
34. That if the Department of Planning and Development requires that the double-check detector assembly be screened by shrubs or any other material, the screening shall only be applicable to the double-check detector assembly and shall not include the fire department connector (FDC). Notwithstanding, the Fire Marshall shall have discretionary authority to require the FDC to be located a minimum distance from the double-check detector assembly.

35. That all projects over \$50,000 are subject to the requirements of Ordinance No. 914 to reuse or recycle 75% of the project waste. Contact Recycling Coordinator, Department of Planning and Development at (562) 868-0511.
36. That the owner/developer shall comply with Public Resource Code, Section 42900 et. seq. (California Solid Waste Reuse Recycling Access Act of 1991 (Act) relating to providing adequate areas for collection and loading of recyclable materials in development projects.
37. That the applicant shall comply with the City's "Heritage Artwork in Public Places Program" in conformance with City Ordinance No. 909.
38. That all buildings over 5,000 sq ft shall be protected by an approved automatic sprinkler system.
39. That the owner shall comply with the requirements of Section 117.131 of the Santa Fe Springs Municipal Code, Requirement for a Soil Gas Study.
40. That the interior gates or fences are not permitted across required Fire Department access roadways.
41. That if on-site fire hydrants are required by the Fire Department, a minimum flow must be provided at 2,500 gpm with 1,500 gpm flowing from the most remote hydrant.
42. That the minimum width of required Fire Department access roadways shall be not less than twenty-six (26) feet with a minimum clear height of thirteen (13) feet six (6) inches. Internal driveways shall have a turning radius of not less than fifty-two (52) feet.
43. That prior to submitting plans to the Building Department or Planning Commission, a preliminary site plan shall be approved by the Fire Department for required access roadways and on-site fire hydrant locations. The site plan shall be drawn at a scale between 20 to 40 feet per inch. Include on plan all entrance gates that will be installed.
44. That Knox boxes are required on all new construction. All entry gates shall also be equipped with Knox boxes or Knox key switches for power-activated gates.
45. That signs and markings required by the Fire Department shall be installed along the required Fire Department access roadways.

46. That prior to issuance of building permits, the applicant shall comply with the following conditions to the satisfaction of the City of Santa Fe Springs:

A. Owner/developer shall obtain a "Closure Letter," "No Further Action Letters" or other appropriate documentation certifying that the required soil remediation standards have been achieved shall be secured from the Los Angeles Regional Water Quality Control Board.

B. Owner/developer shall submit a soils management plan (SMP) which addresses site monitoring and potential soil remediation activities during site development is required. The SMP must be approved by the Fire Department prior to the issuance of a grading permit. A final SMP report must be submitted and approved once the grading is complete.

C. Permits and approvals. Owner/developer shall, at its own expense, secure or cause to be secured any and all permits or other approvals, which may be required by the City and any other governmental agency having jurisdiction as to the environmental condition of the Property. Permits shall be secured prior to beginning work related to the permitted activity.

D. Covenants.

1. Owner/developer shall provide a written covenant to the Planning Commission that, except as may be revealed by the environmental remediation described above and except as applicant may have otherwise disclosed to the City, Commission, Planning Commission or their employees, in writing, applicant has investigated the environmental condition of the property and does not know, or have reasonable cause to believe, that (a) any crude oil, hazardous substances or hazardous wastes, as defined in state and federal law, have been released, as that term is defined in 42 U.S.C. Section 9601 (22), on, under or about the Property, or that (b) any material has been discharged on, under or about the Property that could affect the quality of ground or surface water on the Property within the meaning of the California Porter-Cologne Water Quality Act, as amended, Water Code Section 13000, et seq.

2. Owner/developer shall provide a written covenant to the City that, based on reasonable investigation and inquiry, to the best of owner/developer knowledge, it does not know or have reasonable cause to believe that it is in violation of any notification, remediation or other requirements of any federal, state or local agency having jurisdiction concerning the environmental conditions of the Property.

3. Owner/developer understands and agrees that it is the responsibility of the applicant to investigate and remedy, pursuant to applicable federal, state and local law, any and all contamination on or under any land or structure affected by this approval and issuance of related building permits. The City, Commission, Planning Commission or their employees, by this approval and by issuing related building permits, in no way warrants that said land or structures are free from contamination or health hazards.
4. Owner/developer understands and agrees that any representations, actions or approvals by the City, Commission, Planning Commission or their employees do not indicate any representation that regulatory permits, approvals or requirements of any other federal, state or local agency have been obtained or satisfied by the applicant and, therefore, the City, Commission, Planning Commission or their employees do not release or waive any obligations the applicant may have to obtain all necessary regulatory permits and comply with all other federal, state or other local agency regulatory requirements. Applicant, not the City, Commission, Planning Commission or their employees, will be responsible for any and all penalties, liabilities, response costs and expenses arising from any failure of the applicant to comply with such regulatory requirements.
47. That all known abandoned pipelines, tanks and related facilities shall be removed unless approved by the City Engineer and Fire Chief. Appropriate permits for such work shall be secured before abandonment work begins.
48. That the owner shall require all tenants, prior to occupancy, to acquire a Business Operations Tax Certificate (BOTC) from the Department of Finance and submit an approved Statement of Intended Use Form to the Santa Fe Springs Fire Department.
49. That the owner/developer shall comply with all Federal, State and local requirements and regulations included, but not limited to, the Santa Fe Springs City Municipal Code, Uniform Building Code, Uniform Fire Code, Certified Unified Program Agency (CUPA) programs, the Air Quality Management District's Rules and Regulations and all other applicable codes and regulations.
50. That the owner shall comply with all conditions, limitations and requirements of the approved Industrial Wastewater Discharge Permit in addition to applicable sections of the Wastewater Ordinance and Chapter 97 of the City Code, as it relates to industrial waste disposal. The owner/operator shall submit an Industrial Wastewater Discharge Permit Application prior to generating, storing, treating or discharging any industrial wastewater to the sanitary sewer.

51. That the owner shall comply with for the Regional Water Quality Control Board's Stormwater Pollution Prevention Plan permit requirements.
52. That the owner/developer shall submit for approval to the Police Services Department of the City a lighting and security plan for the property. The lighting shall be installed to provide adequate lighting throughout the property. Further, all exterior lighting shall be designed/installed in such a manner that light and glare are not transmitted onto adjoining properties in such concentration/quantity as to create a hardship to adjoining property owners or a public nuisance.
53. That the owner/developer shall provide an emergency phone number and a contact person to the Department of Police Services and the Fire Department. Emergency information shall allow emergency service to reach the applicant or their representative any time, 24 hours a day.
54. That approved suite numbers/letters or address numbers shall be placed on the proposed building in such a position as to be plainly visible and legible from the street fronting the property. Said numbers shall contrast with their background. The size recommendation shall be 12" minimum.
55. That all roof-mounted mechanical equipment and/or duct work which projects above the roof or roof parapet of the proposed development and is visible from adjacent property or a public street at ground level shall be screened by an enclosure which is consistent with the architecture of the building and approved by the Director of Planning and Development.
56. That the owner/developer shall submit for approval a detailed landscape and automatic irrigation plan pursuant to the Landscaping Guidelines of the City. Said landscape plan shall indicate the location and type of all plant materials to be used and shall include 2 to 3 foot high berms (as measured from the parking lot grade elevation), shrubs designed to fully screen the interior yard and parking areas from public view and 24" box trees along the street frontage.
57. That the owner shall be responsible for his tenants and require that all work is performed inside the building. No portion of the required off-street parking area shall be used for outdoor storage of any type or for special-event activities, unless prior written approval is obtained from the Director of Planning and Development and the Fire Marshall.

58. That in order to facilitate the removal of unauthorized vehicles parked on the property, the applicant shall post, in plain view and at each entry to the property, a sign not less than 17" wide by 22" long. The sign shall prohibit the public parking of vehicles and indicate that vehicles will be removed at the owner's expense and that a citation may be issued for the violation. The sign shall also contain the telephone number of the local law enforcement agency. The lettering within the sign shall not be less than one inch in height.
59. That all vehicles associated with the businesses on the subject property shall be parked on the subject site at all times. Off-site parking is not permitted and may result in the restriction or revocation of privileges granted under this Permit. In addition, any vehicles associated with the property shall not obstruct or impede any traffic.
60. That the location of electrical transformers shall be subject to the approval of the Planning Department.
61. That all fences, walls, signs and similar improvements for the proposed development shall be subject to the approval of the Fire Department and the Department of Planning and Development.
62. That pursuant to the sign standards of the Zoning Ordinance and related sign guidelines of the City, a comprehensive sign program for the proposed development shall be prepared and submitted to the Director of Planning and Development for approval. All signs shall be installed in accordance with the approved sign program.
63. That a sufficient number of approved outdoor trash enclosures shall be provided for the development subject to the approval of the Director of Planning and Development.
64. That the "mainline railroad right-of-way," which is considered as a "public way" as per Los Angeles County Building Code Manual No. 505.1, Article 1, and is located adjacent to Buildings 4 and 8 as depicted on the approved site plan dated February 17, 2004, for the proposed development, may be used to increase the basic allowable area of Buildings 4 and 8, as per Section 505.1 of the Los Angeles County Building Code (2002 Edition).
65. That the final plot plan, floor plan and elevations of the proposed development and all other appurtenant improvements, textures and color schemes shall be subject to the final approval of the Director of Planning and Development.

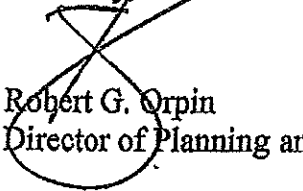
66. That the development shall otherwise be substantially in accordance with the plot plan, floor plan and elevations submitted by the owner and on file with the case.
67. That Development Plan Approval Case Nos. 778-785 shall not be valid until approved by the Community Development Commission and shall be subject to any other conditions the Commission may deem to impose.
68. That Development Plan Approval Case Nos. 778-785 shall not be effective for any purpose until the owner/developer has filed with the City of Santa Fe Springs an affidavit stating he/she is aware of and accepts all of the conditions of approval.
69. That the owner/developer agrees to defend, indemnify and hold harmless the City of Santa Fe Springs, its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City or any of its councils, commissions, committees or boards concerning Development Plan Approval Case Nos. 778-785 when action is brought within the time period provided for in the City's Zoning Ordinance, Section 155.865. Should the City, its agents, officers or employees receive notice of any such claim, action or proceeding, the City shall promptly notify the owner/developer of such claim, action or proceeding and shall cooperate fully in the defense thereof.

Your attention is called to the fact that this approval is not effective until an affidavit has been signed and notarized to indicate your willingness to accept and abide by the conditions of this approval. Two copies of an affidavit are enclosed for this purpose. One copy is to be returned to this office upon completion; the second copy is for your files.

The Zoning Ordinance sets forth an appeal period of fourteen days, beginning with the date you receive this letter, during which any party aggrieved by the Commission's action can appeal the matter to the City Council. You are hereby notified that the time within which judicial review must be sought is governed by the provisions of California Code of Civil Procedure, Section 1094.6.

If you have any questions regarding this matter, please call Wayne Morrell at (562) 868-0511, Extension 7362.

Sincerely,


Robert G. Orpin
Director of Planning and Development

cc: City Council
Frederick W. Latham, City Manager
Fernando L. Tarin, Director of Police Services
Donald K. Jensen, Director of Public Works
Thomas R. Lopez, Assistant Director of Public Works
Tony Olmos, Principal Civil Engineer
Ron Hughes, Civil Engineer Assistant
Neal Welland, Fire Chief
Bil F. Murphy, Fire Marshall
Tom Hall, Environmental Protection Specialist
Mike Gill, RGA
File

EXHIBIT C

CFD Repayment Allocation Schedule Bloomfield Business Center II NE Corner of Bloomfield Ave. and Lakeland Road, Santa Fe Springs, CA

Repayment Summary

CFD Amount	\$700,000.00
Interest Rate (annual)	5.75%
Repayment Term (In years)	15.00
Annual Payment	\$70,901.26
Per Bldg. SF Per Year	\$0.1837
Per Bldg. SF Per Month	\$0.0153

Allocation

Bldg. No.	Building Sq. Ft.	% of Total	CFD Amount Per Bldg.	Annual Payment	PSF / Year	PSF / Month
1	36,365	9.42%	\$65,939.00	\$6,678.80	\$0.1837	\$0.0153
2	17,303	4.48%	\$31,375.00	\$3,177.90	\$0.1837	\$0.0153
3	20,927	5.42%	\$37,946.00	\$3,843.46	\$0.1837	\$0.0153
4	113,658	29.44%	\$206,092.00	\$20,874.55	\$0.1837	\$0.0153
5	22,346	5.79%	\$40,519.00	\$4,104.07	\$0.1837	\$0.0153
6	27,527	7.13%	\$49,914.00	\$5,055.66	\$0.1837	\$0.0153
7	48,424	12.54%	\$87,806.00	\$8,893.65	\$0.1837	\$0.0153
8	99,494	25.77%	\$180,409.00	\$18,273.18	\$0.1837	\$0.0153
Total	386,044	100.00%	\$700,000.00	\$70,901.26	\$0.1837	\$0.0153

EXHIBIT B

FORM OF BALLOT

**City of Santa Fe Springs
Community Facilities District No. 2004-1
(Bloomfield-Florence)**

This ballot is for a special, landowner election in the City of Santa Fe Springs Community Facilities District No. 2004-1 (Bloomfield-Florence). You must return this ballot in the enclosed postage paid envelope to the office of the City Clerk of the City by no later than the hour of 5:00 p.m. on July 14, 2011, either by mail or in person. The City Clerk's office is located at City Hall, 11710 East Telegraph Road, Santa Fe Springs, California 90670.

To vote, mark a cross (X) on the voting line after the word "YES" or after the word "NO." All marks otherwise made are forbidden. All distinguishing marks are forbidden and make the ballot void.

If you wrongly mark, tear, or deface this ballot, return it to the City Clerk and obtain another.

BALLOT MEASURE: Shall the Rate and Method of Apportionment of Special Tax for the City of Santa Fe Springs Community Facilities District No. 2004-1 (Bloomfield-Florence) be amended and restated as set forth in the form of Amended and Restated Rate and Method of Apportionment of Special Tax attached as Exhibit "A" to the "Resolution Calling Special Election to Amend and Restate the Rate and Method of Apportionment of Special Tax" adopted by the City Council of the City of Santa Fe Springs on April 14, 2011, which Amended and Restated Rate and Method of Apportionment of Special Tax I have read and understand?

YES: _____

NO: _____

Assessor's Parcel Number: _____

Acreage: _____

Number of Votes: _____

	The Property Owner is:
	By: _____
	Name: _____
	Title: _____



City of Santa Fe Springs

City Council Meeting

April 14, 2011

COUNCILMEMBER REQUESTED ITEM/ORDINANCE FOR INTRODUCTION

Ordinance No. 1023 - Amending Section 130.04 of the City Code Banning Smoking within Public Parks

RECOMMENDATION

That the City Council waive further reading and introduce Ordinance No. 1023, an Ordinance amending Section 130.04 of the City Code to make it unlawful to smoke within Public Parks

BACKGROUND

In November 2009, the City Council considered imposing a ban on smoking in City Parks. The item was presented in the form of an Ordinance for introduction. At that time, it did not get the necessary motion and second to move forward. Councilmember Rounds has requested that the City Council again consider the ban. In so doing, he has made it clear that it is his intent to allow for the creation of designated smoking areas within the park. The original Ordinance allowed for this, but Councilmember Rounds wanted to underscore that point.

The original agenda report read as follows:

The negative impacts of smoking in public places have been well documented, as have the intent and efforts of the City Council to protect the public's safety, health and welfare. The dangers posed by the inhalation of second-hand smoke, the risk of children ingesting discarded cigarette butts and other smoking materials, and the degradation to the aesthetics caused by improper disposal of smoking waste justify the consideration of a ban on smoking in Public Parks.

Numerous studies have shown that secondhand smoke is a significant public health hazard, particularly to those with chronic health problems, the elderly and young people. The U.S. Environmental Protection Agency has classified second-hand smoke as a group A carcinogen, the most dangerous class of carcinogen. The U.S. Centers for Disease Control and Prevention estimates that secondhand smoke causes 3,000 lung cancer deaths per year among adult non-smokers in the U.S. Additionally, the California Environmental Protection Agency has concluded that secondhand smoke causes 35,000 coronary heart disease deaths a year.



City of Santa Fe Springs

City Council Meeting

April 14, 2011

Children are particularly sensitive to the harmful effects of environmental tobacco smoke. Evidence supports the following:

- *Children who are exposed to secondhand smoke have higher rates of illness than children who are not exposed.*
- *When a pregnant woman is exposed to secondhand smoke, her unborn baby is also exposed. It has been shown that babies of mothers exposed to secondhand smoke have nicotine in their hair at birth.*
- *Secondhand smoke exposure is a known cause of Sudden Infant Death Syndrome (SIDS).*
- *Between 150,000 and 300,000 annual cases of lower respiratory tract infections in infants and young children up to 18 months of age are attributable to secondhand smoke exposure*
- *Secondhand smoke is a known preventable cause of low birth weight, which contributes to infant mortality and health complications into adulthood.*

Nationally, the State of California has been on the leading edge in terms of criminalizing smoking in public places. Since 1995, smoking has been banned in most enclosed workplaces in California, including public facilities. Local jurisdictions may further regulate smoking more strictly than the state, which a number of municipalities have done, including, but not limited to: Belmont, Berkeley, Beverly Hills, Burbank, Calabasas, Cerritos, El Cajon, Glendale, Loma Linda, Los Angeles, Pasadena, San Diego, San Jose, San Luis Obispo, and Santa Monica.

Thaddeus McCormack
City Manager

Attachment(s)

Ordinance No. 1023

ORDINANCE NO. 1023

AN ORDINANCE OF THE CITY OF SANTA FE SPRINGS
AMENDING SECTION 130.04 OF THE CITY CODE
BANNING SMOKING WITHIN PUBLIC PARKS

THE CITY COUNCIL OF THE CITY OF SANTA FE SPRINGS DOES ORDAIN AS
FOLLOWS:

Section I: Section 130.04 (B)(22) is hereby added to the City Code to read as follows:

130.04 UNLAWFUL CONDUCT WITHIN PUBLIC PARK.

(B) It shall be unlawful for any person within any public park to:

(22) *Smoke or possess any lit cigar, cigarette, or pipe, unless the City has designated a specific smoking area.*

Section 2. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase in this Ordinance, or any part hereof, is held invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this Ordinance or of Chapter 130, or any part thereof. The City Council hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause, or phrase in this Ordinance irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases may be declared invalid or unconstitutional.

Section 3: The City Clerk shall certify to the adoption of this Ordinance, and shall cause the same to be posted in at least three (3) places in the City, such posting to be completed not later than fifteen (15) days after passage thereof.

PASSED, APPROVED and ADOPTED THIS _____ day of _____,
2011, by the following called vote:

AYES:

NOES:

ABSENT:

MAYOR

ATTEST:

DEPUTY CITY CLERK



City of Santa Fe Springs

City Council Meeting

April 14, 2011

COUNCILMEMBER REQUESTED ITEM

Renaming of the Neighborhood Center in Honor of Gus Velasco

RECOMMENDATION:

That the City Council approve renaming the Neighborhood Center as the "Gus Velasco Neighborhood Center", and direct staff to incorporate the new name into the design of the signage for the renovated facility.

BACKGROUND

Mayor Serrano is asking the City Council to consider renaming the Neighborhood Center after former Councilmember Gus Velasco. The Neighborhood Center is currently under renovation and is expected to be completed by the end of the calendar year. The signage for the facility has yet to be designed, and therefore could be easily modified to incorporate the new name for the facility. The renovation plans call out for three signs; one on the back side (west side) of the building, and one on each on the corners of Pioneer and Navojoa and Placita Place, respectively.

Thaddeus McCormack
City Manager

Attachments

None.



City of Santa Fe Springs

City Council Meeting

April 14, 2011

FINAL PAYMENT

Rosecrans Avenue and Valley View Avenue Street Improvements (Less 10% Retention)

RECOMMENDATION

That the City Council approve the Final Progress Payment (less 10% Retention) to Sully Miller Contracting Company of Brea, California, in the amount of \$35,058.47 for the subject project.

BACKGROUND

At the City Council meeting of November 9, 2010, the Council awarded a contract to Sully Miller Contracting Company of Brea, California, in the amount of \$668,149.00 for the construction of the subject project.

The following payment detail represents the Final Progress Payment (less 10% Retention) due per terms of the contract for the work which has been completed and found to be satisfactory. This project is financed by the MTA Funds that will be reimbursed to the City via the I-5 Consortium Cities Joint Power Authority.

Thaddeus McCormack
City Manager

Attachments:
Progress Payment Detail

Payment Detail
Rosecrans Avenue and Valley View Avenue Street Improvements

Contractor:

Sully-Miller Contracting Co.
135 S. State College Blvd Suite 400
Brea, CA 92821

Item No.	Description	Contract			Completed This Period - 02-01-11 thru 03-18-11			Completed To Date	
		Quantity	Units	Unit Price	Total	Quantity	Amount	Quantity	Amount
1	Mobilization	1	L.S.	\$ 20,000.00	\$20,000.00	0.10	\$ 2,000.00	1.00	\$ 20,000.00
2	Unclassified excavation	365	C.Y.	\$ 26.00	\$9,490.00	-	\$ -	484.85	\$ 12,606.10
3	Construct crushed miscellaneous base	130	TONS	\$ 15.50	\$2,015.00	-	\$ -	26.00	\$ 403.00
4	Cold Mill	356390	S.F.	\$ 0.10	\$35,639.00	-	\$ -	359,230.00	\$ 35,923.00
5	Furnish and place Asphalt Rubber Hot Mix - Gap Graded (ARHM-GG) overlay pavement	5900	TONS	\$ 79.67	\$470,053.00	-	\$ -	4,572.11	\$ 364,260.00
6	Furnish and place conventional PG-64-10 AC pavement	890	TONS	\$ 85.00	\$75,650.00	77.70	\$ 6,604.50	643.70	\$ 54,714.50
7	Remove and reconstruct depressed driveway curb and gutter with (Xs)	34	L.F.	\$ 67.00	\$2,278.00	-	\$ -	34.00	\$ 2,278.00
8	Remove and reconstruct 4" PCC sidewalk	196	S.F.	\$ 10.50	\$2,058.00	150.00	\$ 1,575.00	706.00	\$ 7,413.00
9	Remove and reconstruct 8" curb gutter Type B-2	25	L.F.	\$ 75.00	\$1,875.00	-	\$ -	25.00	\$ 1,875.00
10	Remove and reconstruct concrete 6" commercial	340	S.F.	\$ 14.00	\$4,760.00	-	\$ -	251.00	\$ 3,514.00
11	Adjust water valve to grade	37	E.A.	\$ 118.00	\$4,366.00	(3.00)	\$ (354.00)	34.00	\$ 4,012.00
12	Adjust sewer manhole to grade	21	E.A.	\$ 375.00	\$7,875.00	-	\$ -	21.00	\$ 7,875.00
13	Adjust storm drain manhole to grade	8	E.A.	\$ 370.00	\$2,960.00	-	\$ -	8.00	\$ 2,960.00
14	Traffic Loops	6	E.A.	\$ 300.00	\$1,800.00	6.00	\$ 1,800.00	6.00	\$ 1,800.00
15	Traffic Control	1	L.S.	\$ 12,000.00	\$12,000.00	0.10	\$ 1,200.00	1.00	\$ 12,000.00
16	Install Raised Pavement Markers (RPMs), pavement	1	L.S.	\$ 13,000.00	\$13,000.00	1.00	\$ 13,000.00	1.00	\$ 13,000.00
17	Survey re-establishment of monuments	2	E.A.	\$ 530.00	\$1,060.00	1.00	\$ 530.00	1.00	\$ 530.00
18	Construction Surveying	1	L.S.	\$ 1,270.00	\$1,270.00	-	\$ -	1.00	\$ 1,270.00
					Total Bid Price	Total Completed Items this Period:	Total Completed Items to Date:		
					\$668,149.00	\$ 26,355.50	\$ 546,433.60		
					Contract Change Order Work	CCO Work Completed this Period (CCO 1)	Total CCO Work Completed to Date		
						\$ 12,598.36	\$ 12,598.36		
					Total Completed Work this Period	Total Completed Work to Date			
					\$ 38,953.86	\$ 559,031.96			

CONTRACT PAYMENTS

Total Items Completed to Date \$ 559,031.96
Less Retention Withheld (10%) \$ 55,903.20
Paid Previously \$ 468,070.29

Total Due this Estimate (Final Progress Payment) \$ 35,058.47

W.O. #: 453-397-B021-4800

APPROVED BY: *[Signature]*

[Signature]



City of Santa Fe Springs

City Council

April 14, 2011

NEW BUSINESS

Designation of Voting Delegate/Alternate for the Southern California Association of Governments (SCAG) Regional Conference and General Assembly – May 5-6 – La Quinta

RECOMMENDATION

That the City Council appoint a voting delegate or, alternatively, up to two alternate voting delegates for purposes of voting at the SCAG Regional Conference and General Assembly.

BACKGROUND

In order to vote at the Annual SCAG Regional Conference and General Assembly, the City Council must designate a voting delegate. In the event that the designated voting delegate is unable to serve in that capacity, the City may appoint up to two alternate voting delegates.

If no Councilmembers are available to serve as delegate, the City Manager would request that Council give him the authority to select alternates from among staff members who will be in attendance.

Thaddeus McCormack
City Manager

Attachment(s):
None



City of Santa Fe Springs

City Council Meeting

April 14, 2011

NEW BUSINESS

Authorization to Issue a Request for Proposals to Provide Construction Management Services for the Valley View Avenue Grade Separation Project

RECOMMENDATION

That the City Council authorize the Director of Public Works to issue a Request for Proposals to provide Construction Management Services for the Valley View Grade Separation Project.

BACKGROUND

The Valley View Avenue Grade Separation Project will involve the modification of the existing at-grade crossing of the BNSF Railroad on Valley View Avenue south of Stage Road. The intersection of Valley View Avenue and Stage Road will be lowered so that Valley View Avenue will pass beneath the existing railroad tracks. Plans have been completed and right-of-way has been acquired. Construction is scheduled to begin in September 2011.

The estimated cost of the entire project is approximately \$75,177,000 and will be covered through a combination of State, Federal and Railroad funds as shown on Exhibit "A". As the centerline of Valley View Avenue is the dividing line between the City of Santa Fe Springs and the City of La Mirada, the project represents a joint effort by both cities. The City of Santa Fe Springs will be the lead agency for construction.

This project represents a major improvement in the City's transportation system and will be the most expensive public project ever completed by the City of Santa Fe Springs. Given the project scope and complexity, staff is recommending that a professional consultant with experience in the construction of grade separations be retained to provide Construction Management services to the City.

The Request for Proposals (RFP) is currently being developed by staff. It will be provided to the City Council prior to April 14, 2011. Due to the complexity of the project additional construction management services may be required during the course of the project. However staff will try to limit additional services by providing a detailed scope of work in the RFP and by requesting a cost proposal identifying fixed hourly rates for personnel as part of the RFP. Therefore, if additional services are required the hourly rate has already been identified. If additional construction management services are necessary, staff will bring this request back for Council review.

With Council approval, the RFP will be issued to qualified consultants. Proposals received in response to the RFP will be evaluated by staff and a recommendation

Report Submitted By: Don Jensen, Director
Department of Public Works

Date of Report: April 7, 2011

will be presented to the City Council in June.

FISCAL IMPACT

Project costs, including the cost of Construction Management services, are eligible for reimbursement. Local funds will be needed only to make initial payments.

INFRASTRUCTURE IMPACT

The issuance of a Request for Proposals will not impact the infrastructure of the City of Santa Fe Springs. The project, however, will have a positive impact, in that it will result in the elimination of an at-grade railroad crossing. Benefits to be gained from the project include improved safety for motorists, better traffic circulation and enhanced rail operations.

Thaddeus McCormack
City Manager

Attachment(s)

Exhibit "A" – Project Funding Plan

EXHIBIT "A"
PROJECT FUNDING PLAN

**VALLEY VIEW AVENUE
GRADE SEPARATION PROJECT**

Breakdown of Estimated Project Cost

• Construction Cost	\$ 47,274,000
• Cost of Work by BNSF Railroad	\$ 6,903,000
• Project Design & Management	\$ 4,000,000
• Right-of-Way Acquisition	\$ 11,700,000
• Construction Management & Support	\$ 5,300,000
Total Estimated Project Cost	<u>\$ 75,177,000 **</u>

** This amount includes \$12,695,000 in Contingency Funds (20.3%)

Project Funding

• Federal Funds	\$ 3,520,000
• County CMAQ Funds	\$ 14,489,000
• State TCRP Funds	\$ 23,698,000
• State TCIF Funds	\$ 25,570,000
• PUC (Section 190) Funds	\$ 5,000,000
• BNSF Railroad Funds	\$ 2,900,000
Total Project Funding	<u>\$ 75,177,000</u>



City of Santa Fe Springs

City Council Meeting

April 14, 2011

NEW BUSINESS

Resolution No. 9311 – Request for Parking Restriction on Marquardt Avenue

RECOMMENDATION

That the City Council adopt Resolution No. 9311, which would prohibit parking of vehicles weighing over 6,000 pounds on the west side of Marquardt Avenue north of Bora Drive and implement a tow-away zone for vehicles that violate the restriction.

BACKGROUND


The Traffic Commission at their meeting of March 17, 2011 reviewed the attached report for the parking restriction. The Commission voted 3 to 0 to recommend to the City Council for consideration and approval of the proposed parking restriction and a provision for a tow-away zone as stated herein.

Staff recommends implementation of the requested parking restriction and the tow-away zone provision as such will facilitate enforcement and deter the disregard for the parking restriction.

Thaddeus McCormack
City Manager

Attachment(s):

Resolution No. 9311
Traffic Commission Report

Report Submitted By: Don Jensen, Director 
Department of Public Works

Date of Report: April 6, 2011

RESOLUTION NO. 9311

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF SANTA FE SPRINGS, CALIFORNIA
RESTRICTING PARKING AND STOPPING OF VEHICLES AND ESTABLISHMENT OF
A TOW-AWAY ZONE ON PORTIONS OF MARQUARDT AVENUE

THE CITY COUNCIL OF THE CITY OF SANTA FE SPRINGS DOES HEREBY
RESOLVE AND ORDER AS FOLLOWS:

Section 1: Pursuant to the provisions of Chapter 75, Schedule II of the City Code, the following locations are designated as places where no person shall stop, stand or park a vehicle weighing in excess of 6,000 pounds at any time and is hereby established as a tow-away zone:

West side of Marquardt Avenue beginning at a point 250 feet north of Bora
Drive to a point 50 feet north of Bora Drive

When signs are posted giving notice thereof, any vehicle which is parked or left standing in violation of the provisions of this Resolution, shall be removed pursuant to the provisions of Vehicle Code Section 22651 (n).

APPROVED and ADOPTED this 14th day of April, 2011.

MAYOR

ATTEST:

CITY CLERK



City of Santa Fe Springs

Traffic Commission Meeting

March 17, 2011

NEW BUSINESS

Request for Parking Restriction on Marquardt Avenue

RECOMMENDATION

That the Commission recommend to the City Council that a parking restriction for vehicles weighing over 6,000 pounds be implemented along with a provision for the towing of vehicles that violate the restriction on the west side of Marquardt Avenue beginning at a point 250 feet north of the centerline of Bora Drive to a point 50 feet north of the centerline of Bora Drive.


BACKGROUND

The Public Works Department received a request from INX International Ink Co., located at 13821 Marquardt Avenue for a parking restriction along Marquardt Avenue, in front of their property. The area is experiencing problems with large trucks parking adjacent to the street intersection. Their request is for the implementation of a restriction on the west side of Marquardt Avenue that would prohibit vehicles over 6,000 pounds from parking along their street frontage.

Marquardt Avenue is classified as a north-south arterial collector street with a curb-to-curb width of sixty-two feet. The street has a stripped median island with a single lane of traffic in each direction. Parking is generally permitted on both sides of the street and is posted with a speed limit of forty miles-per-hour. The 2009 ADT for Marquardt Avenue is 5,807 vehicles per day. The area is zoned for Heavy Manufacturing (M2), on the west side of the street. The street centerline is the boundary between Santa Fe Springs and La Mirada.

The Public Works Department generally receives these types of requests from local businesses for some type of parking restriction in front of their business, especially adjacent to their driveways. Typically, it is an issue of restricted sight distance caused by the parking of semi-trucks with trailers or even pick-up trucks or minivans.

Staff reviewed the existing conditions at the location and recommends that a parking restriction prohibiting the parking of vehicles over 6,000 pounds be implemented on the west side of Marquardt Avenue beginning at a point 250 feet north of the centerline of Bora Drive to a point 50 feet north of the centerline of Bora Drive, along with a provision for the towing of vehicles that violate the restriction.


Rafael O. Casillas
Principal Civil Engineer

Attachment(s):

Letter from INX International Ink Co.
Location Map



INX International Ink Co.
Corporate Offices
150 N. Marlingale Rd., Suite 700
Schaumburg, IL 60173

630-382-1800 Phone
847-969-9758 Fax

February 4, 2011

Noe Negrete
Assistant Director of Public Works
City of Santa Fe Springs
11710 Telegraph Road
Santa Fe Springs, CA 90670

RECEIVED
CITY OF SANTA FE SPRINGS
PUBLIC WORKS
2011 FEB 15 AM 10:41

RE: INX International Ink Co. ("INX")
13821 Marquardt Avenue, Santa Fe Springs, CA
Request for Parking Restriction

Dear Mr. Negrete:

This letter serves as a formal request to the City of Santa Fe Springs' Village Board asking that sign(s) be posted in front of 13821 Marquardt Avenue, Santa Fe Springs, CA 90670 to restrict parking to vehicles not weighing more than 6,000 lbs.

INX International Ink Co. currently operates a manufacturing facility with over 45 employees. For some time the street area in the front of the building has been used to park trucks over night or several days. We believe these trucks are owned and operated by another company in the immediate area. Our facility has an entrance and exit drive on either side of the above mentioned street parking. Since the trucks being parked are extremely large visibility especially on leaving the facility has become a safety issue for not only our employees but our vendors and our customers. We do not wish to void parking in front of 13821 Marquardt Avenue but only restrict it to vehicles that would allow visibility to the oncoming traffic.

INX's landlord, the Robert A. Hollingsead Trust, has been contacted concerning the above request and has granted their approval by executing this letter along with INX International Ink Co. The initial costs to erect one or two restrictive parking signs will be the responsibility of INX.



Headquartered in Schaumburg, Illinois INX International Ink Co. is the third largest producer of ink in North America and a global supplier as part of Sakata INX worldwide operations. We are an industry leader offering a full line of ink and coating solutions technology for packaging and commercial print applications. Our product solutions focus on metal decorating, flexographic, gravure, web offset, lamination, corrugated, sheetfed and UV/EB inks and coatings.



February 4, 2011
Noe Negrete
Public Works
Santa Fe Springs, CA

Should you have questions, please do not hesitate to contact Terry Casanova, General Manager, Santa Fe Springs (562) 404-5311 or Robert C. Osmundsen, General Counsel for INX International Ink Co. (630) 382-1944.

Regards,

A handwritten signature in cursive script, reading "Judith A. Wenzlaff".

Judith A. Wenzlaff
Corp. Admin/Legal Asst.

JAW:ms

Cc: R. C. Osmundsen – Schaumburg, IL
T. Casanova – Santa Fe Springs, CA

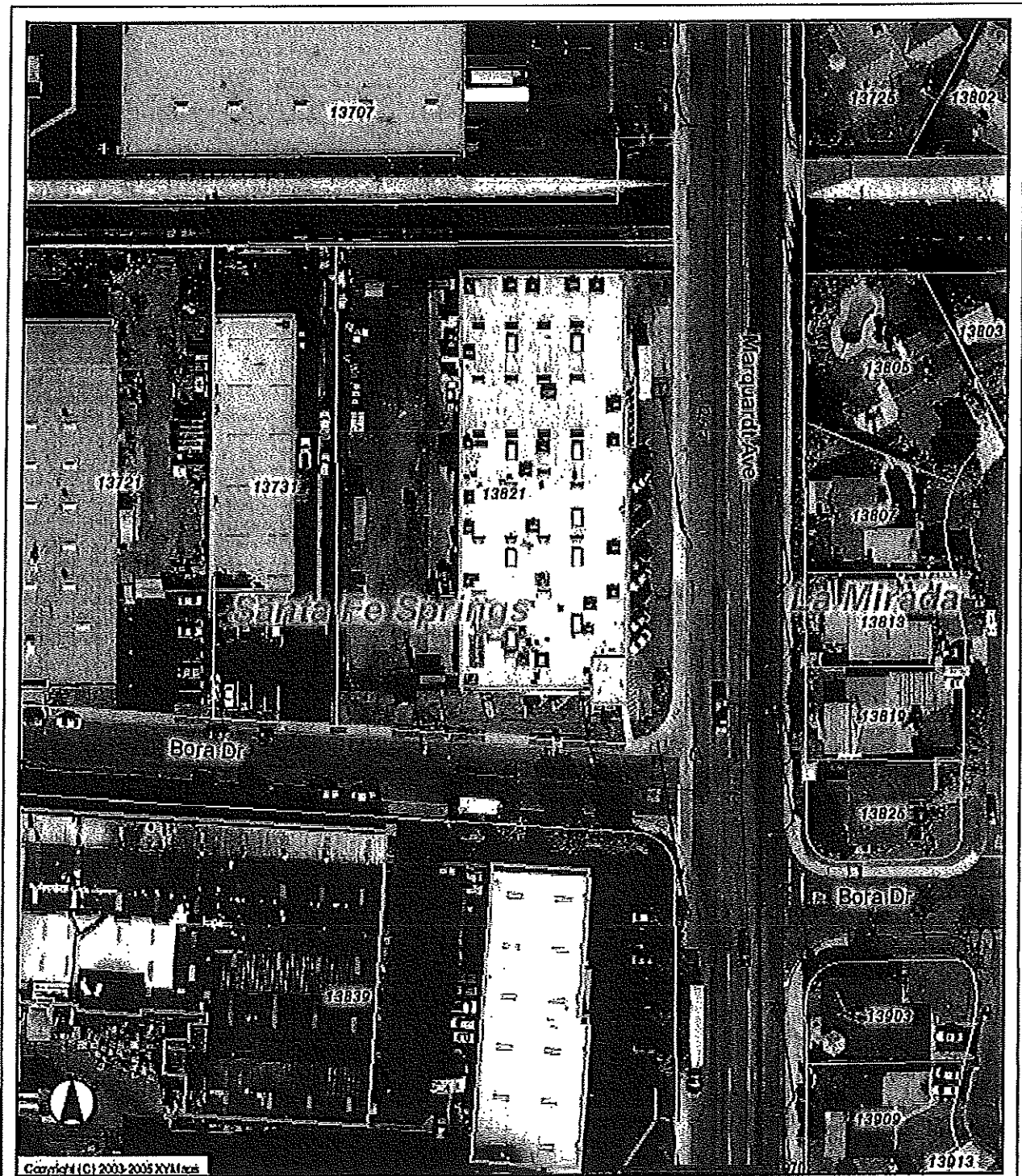
AGREED & APPROVED:

ROBERT A. HOLLINGSEAD TRUST

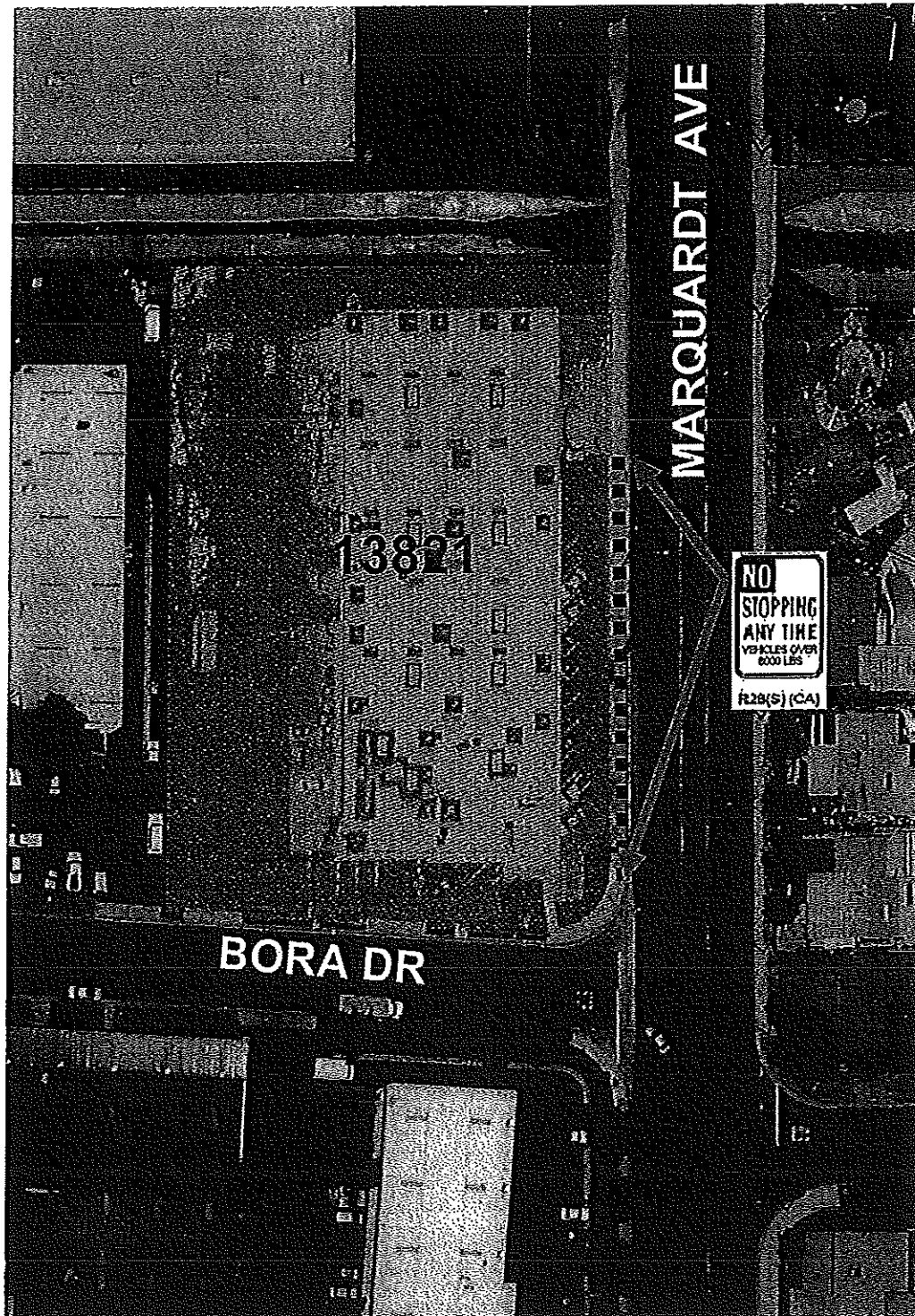
By: Blanche R. Hollingsead, Trustee

Printed Name: BLANCHE R. HOLLINGSEAD

Dated: 2/7/11



City of Santa Fe Springs



REQUEST FOR PARKING RESTRICTION

13821 MARQUARDT AVE

City of Santa Fe Springs

City Council Meeting

April 14, 2011



NEW BUSINESS

Application for Alcohol Sales Conditional Use Permit Case No. 51

Request for approval to allow the operation and maintenance of an alcoholic beverage use involving the storage and wholesale distribution of alcoholic beverages at 10155 Painter Avenue, located in the M-2/PD Heavy Manufacturing Zone, located within the Consolidated Redevelopment Project Area. (Hong Chang Corporation/ Jay Sohn, Applicant)

RECOMMENDATION

That the City Council approve the application for Alcohol Sales Conditional Use Permit Case No. 51 for a period of one (1) year until May 11, 2012, subject to the listed conditions of approval contained within this staff report.

BACKGROUND

The applicant, Hong Chang Corp., an importer and distributor of frozen seafood and grocery products, is applying for an Alcohol Sales Conditional Use Permit to warehouse and distribute rice wine and distilled spirits. The applicant currently distributes various food items and seafood products to food markets around the nation.

Hong Chang Corp. has applied for a Type 17 & 18 Alcoholic Beverage Control license to become a beer, wine, and distilled spirits wholesaler. Staff from the Fire Prevention Bureau, Police Services, and the Planning Department have inspected the location and created a list of conditions of approval for the Conditional Use Permit.

As is required by Section 155.628 of the Zoning Regulations, Hong Chang Corp. is applying for Alcohol Sales Conditional Use Permit No. 51 to allow the distribution and storage of alcoholic beverages at the above location.

CALLS FOR SERVICE

No calls for service are on file for the location.

ZONING ORDINANCE REQUIREMENTS

Section 155.628 (B), regarding the sale or service of alcoholic beverages, states the following:

"A Conditional Use Permit shall be required for the establishment, continuation or enlargement of any retail, commercial, wholesale, warehousing, or manufacturing business engaged in the sale, storage, or manufacture of any type of alcoholic

beverage meant for on- or off-site consumption. In establishing the requirements for such uses, the Planning Commission and City Council shall consider, among other criteria, the following:

a. Conformance with parking regulations.

The subject property was developed in 2003 under Development Approval Case No. 774 and Modification Permit Case No. 1143. Modification Permit Case No. 774 was a Modification of the Property Development Standards to reserve and not provide 30 of the 67 required parking spaces. It should be noted that the approval was granted because the property has an area adjacent to the truck loading area which can be used to facilitate additional parking if needed.

b. Control of vehicle traffic and circulation.

The subject property has on-site vehicle circulation with a single driveway for entry and exit located on Painter Avenue to the east.

c. Hours and days of operation.

The subject location will operate from 7:30am to 4:30pm, Monday – Friday, and will be closed on weekends.

d. Security and/or law enforcement plans.

As part of the conditions of approval, the Applicant is required to maintain an updated Security Plan.

e. Proximity to sensitive and/or incompatible land uses, such as schools, religious facilities, recreational or other public facilities attended or utilized by minors.

The subject use is a warehouse activity and will not deal with retail sales to the public. Therefore, staff does not believe this use will be incompatible to other land uses or public facilities attended or utilized by minors.

f. Proximity to other alcoholic beverage uses to prevent the incompatible and undesirable concentration of such uses in an area.

The subject use is a warehouse activity and is simply a wholesale distributor. No onsite retail sales or consumption is permitted; therefore, proximity to another alcohol beverage use is not a concern.

g. Control of noise, including noise mitigation measures.

The subject site does not generate any audible noises out of character with other industrial facilities in the area.

h. Control of littering, including litter mitigation measures.

Due to the fact that the company is a distributor, staff does not foresee an issue with littering; however, as a standard condition of approval, the Applicant is required to keep the property free of litter and debris.

i. Property maintenance.

Staff found that the property is in compliance with the City's Property Maintenance Ordinance.

j. Control of public nuisance activities, including, but not limited to, disturbance of the peace, illegal controlled substances activity, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, sale of stolen goods, public urination, theft, assaults, batteries, acts of vandalism, loitering, curfew violations, sale of alcoholic beverages to a minor, lewd conduct or excessive police incident responses resulting from the use.

The applicant's sales are wholesale; therefore, the negative impacts normally encountered by retail uses involved in alcohol beverage sales are not foreseen at the site. Nevertheless, Staff has generated the attached conditions of approval to address these impacts should they become apparent.

SURROUNDNG ZONING AND LAND USE

The property on the north and west of the subject property is zoned M-2, Heavy Manufacturing, Zone. The property to the northeast is zoned M-1, Light Manufacturing. The property to the south, across Los Nietos Road, is zoned M-2-PD, Heavy Manufacturing-Planned Development Overlay, Zone. The property to the east, across Painter Avenue, is in the unincorporated area of the County of Los Angeles and is developed with the South Whittier Junior High School. Except for the school, the surrounding properties are industrial in nature and consist of manufacturing and warehouse distribution.

LEGAL NOTICE OF PUBLIC HEARING

This matter was set for Public Hearing in accordance with the requirements of Section 65090 and 65091 of the State Planning, Zoning and Development Laws and the requirements of Sections 155.860 through 155.864 of the City's Municipal Code.

Legal notice of the Public Hearing for the proposed Conditional Use Permit was sent by first class mail to all property owners whose names and addresses appear on the latest County Assessor's Roll within 500 feet of the exterior boundaries of the subject property on March 30, 2011. The legal notice was also posted in Santa Fe Springs City Hall, the City Library and Town Center on March 30, 2011 as required by the State Zoning and Development Laws and by the City's Zoning Regulations. As of April 6, 2011, Staff has not received any inquiries regarding the proposal.

STAFF CONSIDERATIONS

As part of the alcohol sales conditional use permit process, staff conducted a review and inspection of the site to ensure compliance with the current conditions of approval.

After conducting the said investigation, Staff found that the establishment is currently operating in compliance with the conditions of approval as set forth in this report, and in compliance with the ABC regulations. Based on its findings, staff is recommending approval of an Alcohol Sales Conditional Use Permit for a period of one (1) year until May 11, 2012.

CONDITIONS OF APPROVAL

1. The applicant shall maintain all licenses issued by the Department of Alcoholic Beverage Control.
2. That the applicant shall store all alcoholic beverages in a secured area of the warehouse designated only for the storage of alcohol.
3. That the applicant shall be responsible for maintaining control of litter, debris, boxes, pallets and trash on the subject property.
4. That the required off-street parking areas shall not be encroached on, reduced or used for outdoor storage of trucks, equipment or any other related material.
5. That the applicant and/or his employees shall prohibit the consumption of alcoholic beverages on the subject property at all times.
6. That the alcoholic beverages shall not be sold to the general public from the subject site at any time.
7. That the alcoholic beverages shall be shipped to the applicant's customers by the applicant's commercial trucks and/or other licensed commercial transportation companies and not by personal passenger-type vehicles.
8. That it shall be unlawful for any person who is intoxicated or under the influence of any drug to enter, be at, or remain upon the licensed premises as set forth in Section 25602(a) of the State Business and Professions Code.
9. That it shall be unlawful to have upon the subject premises any alcoholic beverage other than the alcoholic beverage(s) which the licensee is authorized by the State ABC to sell under the licensee's license, as set forth in Section 25607(a) of the State Business and Professions Code.
10. That this permit is contingent upon the approval by the Department of Police Services of an updated security plan that, within sixty (60) days of the

effective date of this approval, shall be submitted by the applicant and shall address the following for the purpose of minimizing risks to the public health, welfare and safety:

- (A) A description of the storage and accessibility of alcohol beverages on display as well as surplus alcohol beverages in storage;
 - (B) A description of crime prevention barriers in place at the subject premises, including, but not limited to, placement of signage, landscaping, ingress and egress controls, security systems and site plan layouts;
 - (C) A description of how the permittee plans to educate employees on their responsibilities, actions required of them with respect to enforcement of laws dealing with the sale of alcohol to minors and the conditions of approval set forth herein;
 - (D) A business policy requiring employees to notify the Police Services Center of any potential violations of the law or this Conditional Use Permit occurring on the subject premises and the procedures for such notifications.
 - (E) The City's Director of Police Services may, at his discretion, require amendments to the Security Plan to assure the protection of the public's health, welfare and safety
11. That the owner, corporate officers and managers shall cooperate fully with all City officials, law enforcement personnel and code enforcement officers and shall not obstruct or impede their entrance into the licensed premises while in the course of their official duties.
12. That a copy of these conditions shall be posted and maintained with a copy of the City Business License and Fire Department Permits in a place conspicuous to all employees of the location.
13. That failure to comply with the foregoing conditions shall be cause for suspension and/or revocation of this Permit.
14. That in the event the owner(s) intend to sell, lease or sublease the subject business operation or transfer the subject Permit to party or licensee, the Director of Police Services shall be notified in writing of said intention not less than (60) days prior to signing of the agreement to sell or sublease.
15. That this Permit shall be valid for a period of one (1) year until May 11, 2012. At the end of the period, the Applicant may request an extension of the

privileges granted herein, provided that the use has been continuously maintained in strict compliance with these conditions of approval.

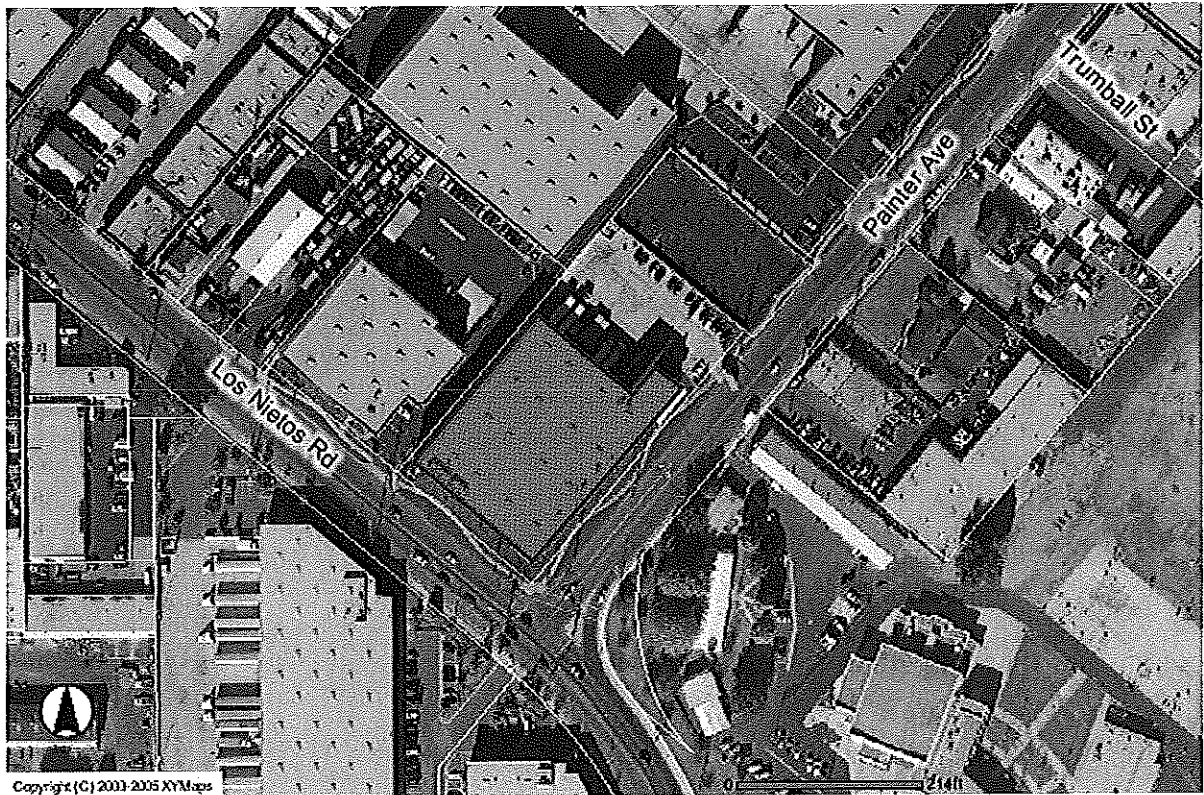
16. That all other applicable requirements of the City Zoning Ordinance, California Building Code, California Fire Code, Business & Professions Code, the determinations of the City and State Fire Marshall, and all other applicable regulations shall be strictly complied with.
17. That Alcohol Sales Conditional Use Permit Case No. 51 shall not be valid until approved by the City Council and shall be subject to any other conditions the City Council may deem necessary to impose.
18. That this Permit shall not be effective for any purpose until the Applicant has filed with the City of Santa Fe Springs an affidavit stating that he/she is aware of and accepts all the conditions of this Permit.
19. It is hereby declared to be the intent that if any provision of this Permit is violated or held to be invalid, or if any law, statute or ordinance is violated, the Permit shall be void and the privileges granted hereunder shall lapse.

Thaddeus McCormack
City Manager

Attachment(s)

1. Location Map

Location Map



CITY OF SANTA FE SPRINGS

Alcohol Sales Conditional Use Permit Case No. 51
Hong Chang Corporation
10155 Painter Avenue



City of Santa Fe Springs

City Council Meeting

April 14, 2011

NEW BUSINESS

Request for Approval of a Recyclable Materials Dealer Permit for RC Metals (Angelica Montes/Applicant)

RECOMMENDATION

That the City Council take the following actions:

1. Approve the issuance of Recyclable Materials Dealer Permit No.22 to RC Metals for an annual renewal period set to expire on June 30, 2011, subject to the conditions of approval as contained within this report.

BACKGROUND

City Ordinance No. 892 approved by the City Council on April 22, 1999, added section 119.02 to the code that requires all persons engaged in the business of purchasing or collecting recyclable materials within the city must first obtain from the City Council a permit as a "Recyclable Materials Dealer." The applicant is proposing to operate a recyclable materials collection and sorting facility at 13039 Los Nietos Rd.

In accordance with section 119.02, the applicant, Angelica Montes of RC Metals, has applied for a Recyclable Materials Dealers Permit. The applicant plans to purchase wholesale metal from automobile dismantlers, separate and sort the metal at the business, and sell the material to metal processing centers. The applicant has worked closely with staff to address security, signage, parking, and lighting standards for the property.

STAFF CONSIDERATIONS

As part of the permit process, staff has conducted a review of the applicant's request for a Recyclable Materials Dealers Permit. It is staff's opinion that if the recycling activity is conducted in accordance with the conditions of approval contained within this report, then the use will not pose a risk or nuisance to the public.

Consequently, staff is recommending approval of the Recyclable Materials Dealer Permit request by the applicant subject to the conditions of approval set forth herein.

RECYCLABLE MATERIALS HAULING-PURCHASE OF MATERIAL

Section 119.05, regarding the purchasing and hauling of recyclable materials, states the following:

"Permitted recyclable materials dealers shall be allowed to purchase and haul recyclable materials, as defined under Section 119.01, from any business location within the city, provided not less than 90% of the materials removed is recycled, reused, or taken to a certified recycling center, except in the case of construction debris, where the requirements shall be 75% recyclable."

CONDITIONS OF APPROVAL

1. That, in accordance with Section 119.08 of the City Code, the applicant will be required to complete a tracking form that will confirm the amount of recyclable material being recycled from the City. This tracking form will be submitted to the City on a monthly basis. Failure to submit the required tracking form may result in the permit being null and void.
2. That, in accordance with Section 119.09 of the City Code, the applicant understands that the Recyclable Materials Dealer Permit shall not be assigned or otherwise referred without the prior written approval of the City Council. Any transfer or assignment made without such approval shall be treated as null and void.
3. That any vehicles used in conjunction with the recycling operation shall not be stored or parked in the R-1, Single Family Residential Zone.
4. That any vehicles used in conjunction with the recycling operation must be inspected by the City Department of Public Works and Department of Police Services on an annual basis.
5. That all equipment used in the collection of recyclable materials shall conform to the highest industry standards, shall be maintained in a clean and efficient condition, and shall comply with all measures and procedures promulgated by all agencies with jurisdiction.
6. That all vehicles used by a Recyclable Materials Dealer shall be maintained in compliance with all applicable State and local laws, and shall abide by the following:
 - (a) The name of the dealer or firm name, together with the phone number of the company, shall be printed or painted in legible letters, not less than three inches in height, on both sides of all trucks and conveyances used to collect or transport recyclable materials within the city, should the applicant sub-contract the pick-up services, written approval shall first be obtained by the Director of Police Services ;
 - (b) Each vehicle shall be constructed and used so that no material will block, fall, or leak out of the vehicle. Any material dropped or spilled in collection or transfer shall immediately be cleaned up by the operator. A broom, shovel, and spill kit shall be carried at all times on each vehicle for this purpose; and
 - (c) Should the City Manager, or designee, at any time give notification in writing to a permittee that any vehicle does not comply with the standards

set forth herein, the vehicle shall immediately be removed from service in the City and shall not be used again until approved in writing by the City manager, or designee.

7. All equipment used to collect recyclable materials, including vehicles and containers, shall be kept free of graffiti.
8. That in the event the owner(s) intend to sell, lease, or sublease the subject business operation or transfer the subject permit to another owner/applicant or licensee, both the Director of Police Services and Director of Planning and Development shall be notified in writing of said intention not less than 60 (sixty) days prior to signing of the agreement to sell, lease or sublease.
9. That this permit be valid through June 30, 2011, at which time the applicant shall request an annual extension of the privileges granted herein, provided that the use has been continuously maintained in strict compliance with these conditions of approval.
10. That Recyclable Dealer Permit No.22 shall not be valid until approved by the City Council and shall be subject to any other conditions the City Council may deem necessary to impose.
11. That prior to occupancy of the property/building, the applicant, and/or his tenant(s), shall obtain a valid business license (AKA Business Operation Tax Certificate), and submit a Statement of Intended Use. Both forms, and other required accompanying forms, may be obtained at City Hall by contacting Cecilia Pasos at (562) 868-0511, extension 7527, or through the City's web site (www.santafesprings.org).
12. That this permit shall not be effective for any purpose until the applicant has filed with the City of Santa Fe Springs an affidavit stating that he is aware of and accepts all the conditions of this permit. The signed affidavit shall be submitted to Phillip DeRousse, Department of Police Services (562-409-1850) within thirty (30) days of the approval of this permit.
13. It is hereby declared to the intent that if any provision of this permit is violated or held to be invalid, or if any law, statute, or ordinance is violated the permit shall be void and the privileges granted hereunder shall lapse.
14. That the recycling goods shall only be picked up from the facility and bins supplied by RC Metals.
15. That all company drivers shall be fully licensed with the appropriate classification as required by the California Department of Motor Vehicles.

16. That the recycling bins shall not be located within required parking, loading, or driveway areas.
17. That all recycling activities shall comply with Section 155.420 of the City's Zoning Ordinance regarding the generation of objectionable odors. If there is a violation of this aforementioned Section, the property owner/applicant shall take whatever measures necessary to eliminate the objectionable odors from the operation in a timely manner.
18. That the applicant shall maintain a valid Conditional Use Permit (No.718) for the continued operation and maintenance of the recycling activities on the subject property and shall ensure full compliance with the conditions of approval as set for in the Conditional Use Permit.
19. That the applicant and/or his employees shall be responsible for maintaining control of litter on the subject property on a daily basis.
20. That the owner, corporate officers and managers shall cooperate fully with all city officials, law enforcement personnel, and code enforcement officers and shall not obstruct or impede their entrance into the premises while in the course of their official duties, and shall allow law enforcement personnel access to digital surveillance footage for investigative purposes.
21. That the applicant shall comply with all Federal, State, and local regulations, ordinances, and reporting requirements pertaining to recycling operations.
22. That the Director of Police Services, at his discretion, shall have the authority to include additional conditions of approval that he may deem necessary, prior to the termination of the licensing period.
23. That failure to comply with the foregoing conditions of approval shall be cause for procedures to suspend and/or revoke this permit.

Thaddeus McCormack
City Manager



City of Santa Fe Springs

City Council Meeting

April 14, 2011

NEW BUSINESS

Approve Artwork Concept for the El Greco Development on Burke Street

RECOMMENDATION

That the City Council approve the artwork concept by Dan Ho for the El Greco development at 11650 Burke Street.

BACKGROUND

At its March meeting, the Heritage Arts Advisory Committee studied and approved a concept for public art titled *Chasing Waves*. Larry Cochrun of LDC Development Services, along with artist Dan Ho, gave a presentation of the proposed artwork for 11650 Burke Street. With an art requirement estimate of \$49,000, the property owner, Larry Patsouras, estimates the cost of this artwork project to be \$160,000.

This piece reflects the property owner's love of water and nature. Consisting of spiraling stainless steel, the artwork will extend 250 feet along the front of the building with fountains at both ends. Native grasses, boulders, and palm trees will be added throughout. Lighting is planned for both the artwork and the fountains.

Fabrication and installation are expected to take approximately five months.

Larry Cochrun of LDC Development will give a short presentation of the project.

FISCAL IMPACT

The property owner will purchase the artwork. The cost of the plaque and dedication will come out of the Heritage Artwork in Public Places Fund.

INFRASTRUCTURE IMPACT

The artwork will be maintained by the property owner.

Thaddeus McCormack
City Manager



City of Santa Fe Springs

City Council Meeting

April 14, 2011

PRESENTATION

Proclaiming April 22, 2011, as "Earth Day" in Santa Fe Springs

RECOMMENDATION

That the City Council proclaim April 22, 2011, as "Earth Day" in Santa Fe Springs

BACKGROUND

BACKGROUND

Earth Day was first launched as an environmental awareness day in the United States on April 22, 1970, and is now celebrated as the birth of the environmental movement. Subsequent Earth Day and environmental education events helped lead to the first environmental legislation – the Clean Air Act and Clean Water Acts. Due in large part to the efforts of hundreds of local organizers, Earth Day is now the most celebrated environmental event worldwide.

In recognition of April 22, 2011, as Earth Day in Santa Fe Springs, a proclamation will be presented by the Council.

The Mayor may wish to call upon Management Assistant Wayne Bergeron to assist with this presentation.

Thaddeus McCormack
City Manager

Attachment
Proclamation

***WHEREAS,** Earth Day was first observed 41 years ago as a grassroots movement by concerned citizens to positively change the Earth's "Environmental Climate;" and*

***WHEREAS,** April 22, is nationally celebrated as an environmental awareness day, observed throughout the nation and the world; and*

***WHEREAS,** Earth Day and every day, is a time to act to protect our planet; and*

***WHEREAS,** educating our residents on the importance of resource conservation will improve the health of our community and our planet; and*

***WHEREAS,** the City of Santa Fe Springs is committed to establishing an environmentally-conscious community, through recycling programs, education, and other efforts; and*

***NOW, THEREFORE I,** Joseph D. Serrano, Sr., Mayor of the City of Santa Fe Springs, on behalf of the City Council, do hereby proclaim April 22, 2011, as*

EARTH DAY

in the City of Santa Fe Springs and urge all its residents to support efforts to recycle and protect our environment.

Dated this 14th day of April, 2011.

Mayor

Attest:

Deputy City Clerk



City of Santa Fe Springs

City Council Meeting

April 14, 2011

PRESENTATION

Proclaiming April 2011 as Sexual Assault Awareness Month and April 27, 2011 as "Denim Day"

RECOMMENDATION

That the City Council proclaim April 2011 as Sexual Assault Awareness Month and April 27, 2011, as "Denim Day" in Santa Fe Springs.

BACKGROUND

Peace Over Violence invites municipalities in Los Angeles County to join Denim Day in LA, a sexual assault prevention education campaign. Over 1,000,000 individuals annually participate in support of raising awareness about the need to end sexual violence.

Wearing jeans became a symbol of protest against harmful myths surrounding rape, after an Italian Supreme Court decision in 1998 overturned a rape conviction because the victim wore jeans, stating the victim must have "helped" her attacker remove her jeans, from which they inferred her consent.

Peace Over Violence invites Santa Fe Springs to participate in this effort to promote awareness and communicate the message that there is "no excuse and never an invitation to rape," by wearing denim on Wednesday, April 27.

The Mayor may wish to call upon Dino Torres, Director of Police Services, to assist with this presentation.

Thaddeus McCormack
City Manager

Attachment
Proclamation

WHEREAS, the United States Government has declared April as "Sexual Assault Awareness Month" and Peace Over Violence has declared April 27, 2011, as "Denim Day" in Los Angeles County; and

WHEREAS, "Denim Day" is a rape prevention education campaign, where communities in LA County are asked to make a social statement with their fashion statement by wearing jeans, as a protest against the misconceptions that surround sexual assault and in support of rape survivors; and

WHEREAS, this event was initially triggered in 1998 as a protest after an Italian Supreme Court decision overturned a rape conviction because the victim wore jeans. The justices reasoned that the victim must have "helped" her attacker remove her jeans, implying her consent; and

WHEREAS, both events are intended to draw attention to the fact that rape and sexual assault remains a serious issue in our society; and

WHEREAS, the City of Santa Fe Springs joins the efforts of Peace Over Violence in this campaign to educate our communities about the true impact of rape and sexual assault in Southern California; and

NOW, THEREFORE, be it resolved that I, Joseph D. Serrano, Sr., Mayor of the City of Santa Fe Springs, on behalf of the City Council hereby proclaim the month of April as

SEXUAL ASSAULT AWARENESS MONTH

and April 27th as

DENIM DAY IN SANTA FE SPRINGS

and encourage citizens to wear jeans to help communicate the message that there is "no excuse and never an invitation to rape."

Dated this 14th day of April, 2011

Mayor

Attest:

Deputy City Clerk



City of Santa Fe Springs

City Council Meeting

April 14, 2011

PROCLAMATION

Proclaiming April 29, 2011 as "National Arbor Day"

RECOMMENDATION

That the City Council proclaim April 29, 2011 as "National Arbor Day".

BACKGROUND

On April 10, 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, which would be called Arbor Day. Trees play an integral part in urban landscape by providing aesthetic value to neighborhoods as well as environmental benefits. The City of Santa Fe Springs places great value in maintaining and preserving the City's urban forest and as result of that investment has been recognized by the Arbor Day Foundation with the national designation of Tree City USA Award for the past 24 consecutive years.

The Arbor Day Foundation is a non-profit, environmental and educational organization of nearly one million members, with a mission to inspire people to plant, nurture and celebrate the benefits of trees. The Arbor Day Foundation in cooperation with the National Association of State Foresters and the USDA Forest Service sponsors the Tree City USA program.

This year, the City of Santa Fe Springs will be celebrating its 26th year of honoring the Arbor Day tradition by planting a tree at Jersey Elementary School.

The Mayor may wish to call upon Don Jensen, Director of Public Works, to receive the proclamation.

Thaddeus McCormack
City Manager

Attachment(s)
Proclamation

Arbor Day

April 29, 2011

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and throughout the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and beautify our community; and

WHEREAS, trees in our City increase property values, enhance the economic vitality of business areas, and beautify our community; and

NOW, THEREFORE, I, Joseph D. Serrano, Sr., Mayor of the City of Santa Fe Springs, on behalf of the City Council, do hereby proclaim April 29, 2011 as

ARBOR DAY

in the City of Santa Fe Springs and urge all citizens to celebrate Arbor Day and support efforts to protect our trees and woodlands, and further encourage all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

DATED this 14th day of April, 2011

MAYOR

ATTEST:

CITY CLERK



City of Santa Fe Springs

City Council Meeting

April 14, 2010

PRESENTATION

Presentation to Nickie Stradley in Recognition of 33 Years of Volunteer Service

RECOMMENDATION

The Mayor may wish to call upon Councilmember Juanita Trujillo, to assist with this presentation.

BACKGROUND

Boy Scouts is one of the world's largest organizations dedicated solely to helping the youth build character and gain skills to help them succeed in the world. City resident Nickie Stradley has committed 33 years of volunteer service to local troop – Cub Scouts Pack 553, and has personally contributed to the betterment of many children in the community through her many years of involvement.

Ms. Stradley helps coordinate activities for over 30 children; helps troop leaders and volunteer parents with organizing meetings, fundraisers, summer camp; helps children with earning their badges; and most importantly for her, instills positive values in the children.

Ms. Stradley has been invited to tonight's Council meeting to be recognized by the City Council for her commitment to the youth of Santa Fe Springs.

Thaddeus McCormack
City Manager

Attachments

None.



City of Santa Fe Springs

City Council Meeting

April 14, 2010

PRESENTATION

Presentation to Raquel Cabral in Recognition of Athletic and Academic Achievements

RECOMMENDATION

The Mayor may wish to call upon Management Assistant Wayne Bergeron to assist with this presentation.

BACKGROUND

Raquel Cabral is a resident of Santa Fe Springs who has achieved outstanding levels as a gymnast while maintaining an exceptional academic record. Raquel began her gymnastic training in the City's Recreation Division at age five, about the same time she started school. Over the years with the help of dedicated coaches and teachers, she has become an outstanding athlete and student.

Raquel has been invited to tonight's Council meeting to be recognized by the City Council for her outstanding achievements in gymnastics and academics.

Thaddeus McCormack
City Manager

Attachments

None.



City of Santa Fe Springs

City Council Meeting

April 14, 2011

APPOINTMENT TO BOARDS, COMMITTEES, COMMISSIONS

Committee Appointments

Below is a list of current vacancies; attached is a roster for each active committee and a list of prospective members.

Committee	Vacancy	Councilmember
Beautification	1	González
Beautification	2	Moore
Beautification	3	Rounds
Beautification	4	Serrano
Community Program	3	González
Community Program	1	Moore
Community Program	2	Rounds
Community Program	2	Serrano
Community Program	4	Trujillo
Family & Human Advisory	1	González
Historical	2	Moore
Historical	1	Rounds
Historical	2	Serrano
Historical	1	Trujillo
Parks & Recreation	1	González
Parks & Recreation	2	Moore
Parks & Recreation	1	Trujillo
Senior Citizens Advisory	4	Moore
Senior Citizens Advisory	2	Rounds
Senior Citizens Advisory	1	Trujillo
Sister City	3	González
Sister City	1	Rounds
Sister City	2	Serrano
Sister City	1	Trujillo

Christina Avila Maldonado resigned from the Sister City Committee due to health reasons. Toni Vallejo resigned from the Family & Human Services Advisory Committee.

Please direct any questions regarding this report to the Deputy City Clerk.

Thaddeus McCormack
City Manager

Attachments: Prospective Members List, Committee Rosters

Submitted By: Anita Jimenez, Deputy City Clerk

April 7, 2011

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Prospective Members for Various Committees/Commissions

Beautification

Community Program

Family & Human Services

Miguel Estevez

Jose Avila

Angelica Miranda

Raul Miranda, Jr.

Heritage Arts

Historical

Personnel Advisory Board

Parks & Recreation

Francis Carbajal

Angelica Miranda

Planning Commission

Senior Citizens Advisory

Sister City

Traffic Commission

Youth Leadership

BEAUTIFICATION COMMITTEE

Meets the fourth Wednesday of each month, except July, Aug, Dec.

9:30 a.m., Town Center Tall

Membership: 25

APPOINTED BY	NAME	TERM EXPIRATION YR.
Gonzalez	Juanita Montes	(12)
	Irene Pasillas	(12)
	Vacant	(12)
	May Sharp	(11)
	Marlene Vernava	(11)
Moore	Juliet Ray	(12)
	Vacant	(12)
	Vacant	(11)
	Guadalupe Placencia	(11)
	Ruth Gray	(11)
Rounds	Vacant	(12)
	Vacant	(12)
	Annette Ledesma	(11)
	Paula Minnehan*	(11)
	Vacant	(11)
Serrano	Vacant	(12)
	Vacant	(12)
	Vacant	(12)
	Vada Conrad	(11)
	Vacant	(11)
Trujillo	Sylvia Takata	(12)
	Eleanor Connelly	(12)
	Margaret Bustos*	(12)
	Rosalie Miller	(11)
	A.J. Hayes	(11)

**Asterisk indicates person currently serves on three committees*

COMMUNITY PROGRAM COMMITTEE

Meets the third Wednesday in Jan., May, and Sept., at 7:00 p.m., in City Hall.

Membership: 25

APPOINTED BY	NAME	TERM EXPIRATION YR.
Gonzalez	Jeanne Teran	(12)
	Miguel Estevez	(12)
	Vacant	(12)
	Vacant	(11)
	Vacant	(11)
Moore	Rosalie Miller	(12)
	Margaret Palomino	(12)
	Mary Jo Haller	(11)
	Lynda Short	(11)
	Vacant	(11)
Rounds	Mark Scoggins*	(12)
	Marlene Vernava	(12)
	Vacant	(12)
	Denise Vega	(11)
	Vacant	(11)
Serrano	Ruth Gray	(12)
	Mary Anderson	(11)
	Dolores H. Romero*	(11)
	Vacant	(12)
	Vacant	(11)
Trujillo	Vacant	(12)
	Vacant	(12)
	Vacant	(12)
	Lisa Sanchez	(11)
	Vacant	(11)

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FAMILY & HUMAN SERVICES ADVISORY COMMITTEE

Meets the second Tuesday of the month, except Jul., Aug., Sept., and Dec., at 5:30 p.m., Neighborhood Center

Membership: 15 Residents Appointed by City Council
5 Social Service Agency Representatives Appointed by the Committee

APPOINTED BY	NAME	TERM EXPIRATION YR.
Gonzalez	Mercedes Diaz	(12)
	Josephine Santa-Anna	(12)
	Vacant	(11)
Moore	Arcelia Miranda	(12)
	Laurie Rios*	(11)
	Margaret Bustos*	(11)
Rounds	Annette Rodriguez	(12)
	Janie Aguirre*	(11)
	Ted Radoumis	(11)
Serrano	Lydia Gonzales	(12)
	Manny Zevallos	(11)
	Gilbert Aguirre*	(11)
Trujillo	Dolores H. Romero*	(12)
	Gloria Duran*	(12)
	Alicia Mora	(11)

Organizational Representatives: Nancy Stowe
Evelyn Castro-Guillen
Irene Redondo Churchward
(SPIRRIT Family Services)

**Asterisk indicates person currently serves on three committees*

HERITAGE ARTS ADVISORY COMMITTEE

Meets the Last Tuesday of the month, except Dec., at 9:00 a.m., at the Train Depot

Membership: 9 Voting Members
 6 Non-Voting Members

APPOINTED BY	NAME
Gonzalez	Laurie Rios*
Moore	May Sharp
Rounds	Gustavo Velasco
Serrano	Paula Minnehan*
Trujillo	Amparo Oblea

Committee Representatives

Beautification Committee	Marlene Vernava
Historical Committee	Larry Oblea
Planning Commission	Frank Ybarra
Chamber of Commerce	Tom Summerfield

Council/Staff Representatives

Council	Richard Moore
City Manager	Thaddeus McCormack
Director of Library & Cultural Services	Hilary Keith
Director of Planning & Development	Paul Ashworth

**Asterisk indicates person currently serves on three committees*

HISTORICAL COMMITTEE

Meets Quarterly - The second Tuesday of Jan. and the first Tuesday of April, July, and Oct., at 5:30 p.m., Carriage Barn

Membership: 20

APPOINTED BY	NAME	TERM EXPIRATION YR.
Gonzalez	Ed Duran	(12)
	Gilbert Aguirre*	(11)
	Janie Aguirre*	(11)
	Sally Gaitan	(11)
Moore	Astrid Gonzalez	(12)
	James Berkshire	(12)
	Vacant	(11)
	Vacant	(11)
Rounds	Art Escobedo	(12)
	Vacant	(12)
	Mark Scoggins*	(11)
	Janice Smith	(11)
Serrano	Gloria Duran*	(12)
	Vacant	(12)
	Vacant	(11)
	Larry Oblea	(11)
Trujillo	Vacant	(12)
	Alma Martinez	(12)
	Merrie Hathaway	(11)
	Susan Johnston	(11)

**Asterisk indicates person currently serves on three committees*

PARKS & RECREATION ADVISORY COMMITTEE

Meets the First Wednesday of the month, except Jul., Aug., and Dec., 7:00 p.m.,
Council Chambers.

Subcommittee Meets at 6:00 p.m., Council Chambers

Membership: 25

APPOINTED BY	NAME	TERM EXPIRATION YR.
Gonzalez	Jennie Carlos	(12)
	Frank Leader	(12)
	Paula Minnehan*	(11)
	Raul Miranda, Jr.	(12)
	Vacant	(11)
Moore	Jimmy Mendoza	(12)
	Michele Carbajal	(12)
	Janet Rock	(11)
	Vacant	(11)
	Vacant	(11)
Rounds	Kenneth Arnold	(12)
	Richard Legarreta, Sr.	(12)
	Luigi Trujillo	(12)
	Don Mette	(11)
	Mark Scoggins*	(11)
Serrano	Lynda Short	(12)
	Bernie Landin	(12)
	Joe Avila	(12)
	Sally Gaitan	(11)
	Fred Earl	(11)
Trujillo	Miguel Estevez	(12)
	Andrea Lopez	(12)
	Christina Maldonado	(11)
	Vacant	(11)
	Arcelia Miranda	(11)

**Asterisk indicates person currently serves on three committees*

PERSONNEL ADVISORY BOARD

Meets Quarterly on an As-Needed Basis

Membership: 5 (2 Appointed by City Council, 1 by
Personnel Board, 1 by Firemen's Association,
1 by Employees' Association)

Terms: Four Years

APPOINTED BY	NAME	TERM EXPIRES
Council	Angel Munoz	6/30/2011
	Ron Biggs	6/30/2013
Personnel Advisory Board	Jim Contreras	6/30/2011
Firemen's Association	Wayne Tomlinson	6/30/2013
Employees' Association	Anita Ayala	6/30/2011

PLANNING COMMISSION

Meets the second and fourth Mondays of every Month at 4:30 p.m.,
Council Chambers

Membership: 5

APPOINTED BY	NAME
Gonzalez	Laurie Rios
Moore	Larry Oblea
Rounds	Doug Rodgers
Serrano	Michael Madrigal
Trujillo	Frank Ybarra

SENIOR CITIZENS ADVISORY COMMITTEE

Meets the third Wednesday of the month, except Jul., Aug., Sep., and Dec., at 10:00 a.m., Neighborhood Center

Membership: 25

APPOINTED BY	NAME	TERM EXPIRATION YR.
Gonzalez	Gloria Duran*	(12)
	Josephine Santa-Anna	(12)
	Vacant	(11)
	Janie Aguirre*	(11)
	Ed Duran	(11)
Moore	Vacant	(12)
	Vacant	(12)
	Vacant	(12)
	Vacant	(11)
	Pete Vallejo	(11)
Rounds	Vacant	(12)
	Vacant	(12)
	Gloria Vasquez	(11)
	Lorena Huitron	(11)
	Berta Sera	(11)
Serrano	Gusta Vicuna	(12)
	Louis Serrano	(12)
	Mary Bravo	(12)
	Amelia Acosta	(11)
	Jessie Serrano	(11)
Trujillo	Julia Butler	(12)
	James Hogan	(12)
	Gilbert Aguirre*	(11)
	Margaret Bustos*	(11)
	Vacant	(11)

*Asterisk indicates person currently serves on three committees

SISTER CITY COMMITTEE

Meets the First Monday of every month, except Dec., at 6:30 p.m., Town Center Hall, Mtg. Room #1. If the regular meeting date falls on a holiday, the meeting is held on the second Monday of the month.

Membership: 25

APPOINTED BY	NAME	TERM EXPIRATION YR.
Gonzalez	Vacant	(12)
	Kimberly Mette	(12)
	Jimmy Mendoza	(11)
	Vacant	(12)
	Vacant	(11)
Moore	Martha Villanueva	(12)
	Gloria Duran*	(12)
	Mary K. Reed	(11)
	Peggy Jo Radoumis	(11)
	Jeannette Wolfe	(11)
Rounds	Manny Zevallos	(12)
	Susan Johnston	(12)
	Francis Carbajal	(12)
	Ted Radoumis	(11)
	Vacant	(11)
Serrano	Charlotte Zevallos	(12)
	Vacant	(12)
	Laurie Rios*	(11)
	Doris Yarwood	(11)
	Vacant	(11)
Trujillo	Alicia Mora	(12)
	Andrea Lopez	(12)
	Dolores H. Romero*	(11)
	Marcella Obregon	(11)
	Vacant	(11)

**Asterisk indicates person currently serves on three committees.*

TRAFFIC COMMISSION

Meets the Third Thursday of every month, at 7:00 p.m., Council Chambers

Membership: 5

APPOINTED BY

NAME

Gonzalez

Arcelia Valenzuela

Moore

Manny Zevallos

Rounds

Ted Radoumis

Serrano

Sally Gaitan

Trujillo

Greg Berg

YOUTH LEADERSHIP COMMITTEE

Meets the First Monday of every month, at 6:00 p.m., Council Chambers

Membership: 20

APPOINTED BY	NAME	TERM EXPIRATION YR.
Gonzalez	Victor Becerra	(11)
	Jessica Aguilar	(11)
	Jeanneth Guerrero	(11)
	Marilyn Llanos	(12)
Moore	Destiny Cardona	(14)
	Gabriela Rodriguez	(13)
	Wendy Pasillas	(13)
	Daniel Wood	(13)
Rounds	Carina Gonzalez	(11)
	Siboney Ordaz	(12)
	Alexandra Vergara	(12)
	Lisa Baeza	(13)
Serrano	Kimberly Romero	(11)
	Alyssa Trujillo	(11)
	Alyssa Berg	(11)
	Ariana Gonzalez	(13)
Trujillo	Madalin Marquez	(11)
	Martin Guerrero	(13)
	Omar Rodriguez	(12)
	Kevin Ramirez	(13)